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<p>1 Q. We had talked earlier about documents that you</p> <p>2 may have received from Quakertown when you became a</p> <p>3 coach there about a sexual-harassment policy or abuse</p> <p>4 policy and drug-free policy or whatever.</p> <p>5 There is a letter from Nancianne Edwards to</p> <p>6 you dated March 28, 2008, in which she refers to "The</p> <p>7 attached board policies and regulations distributed to</p> <p>8 all employees." It says, "Please read this information.</p> <p>9 Keep it in your file," and then behind that there are</p> <p>10 two authorizations: One for the unlawful-harassment</p> <p>11 policy, acknowledging receipt of that; and the other</p> <p>12 one was for a drug-free-workplace policy, and there is</p> <p>13 an acknowledgment of that.</p> <p>14 Are those documents -- and I'll show you the</p> <p>15 letter and the two documents. You can take a look at</p> <p>16 those, if you like.</p> <p>17 My question to you: Are those the documents</p> <p>18 that you referred to earlier as the written documents</p> <p>19 distributed to you by Quakertown when you became</p> <p>20 employed there as a coach?</p> <p>21 A. Yes, sir.</p> <p>22 Q. And again, you don't recall receiving any</p> <p>23 similar documents or policies or signing any similar</p> <p>24 acknowledgements for your employment at Pennridge. Is</p>	<p>1 Q. And did you tell your coaches that you were</p> <p>2 leaving as of January 5th, 2010 because of your health</p> <p>3 condition?</p> <p>4 A. I believe I asked the one coach that was still</p> <p>5 there to tell her I was not returning.</p> <p>6 Q. Who was?</p> <p>7 A. Beth Rice.</p> <p>8 Q. Rice?</p> <p>9 A. Yes, sir.</p> <p>10 Q. She still there?</p> <p>11 A. I do not know.</p> <p>12 Q. Was there some kind of season-ending banquet</p> <p>13 or awards dinner or something for the softball team at</p> <p>14 Quakertown, girls softball team?</p> <p>15 A. I don't believe.</p> <p>16 Q. When was the season? What was the duration of</p> <p>17 the season at Quakertown?</p> <p>18 A. March to May.</p> <p>19 Q. So, you had not yet begun coaching that</p> <p>20 season.</p> <p>21 A. What season?</p> <p>22 Q. The 2010 season, I guess.</p> <p>23 A. No, sir.</p> <p>24 Q. You had finished the 2009 season.</p>
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<p>1 that correct?</p> <p>2 A. I can't say.</p> <p>3 Q. Can't say either way?</p> <p>4 A. Either way.</p> <p>5 Q. Do you have even a general recollection of</p> <p>6 getting similar documents from Pennridge and signing an</p> <p>7 authorization for them?</p> <p>8 A. I don't.</p> <p>9 Q. When you left Quakertown on January 5th of</p> <p>10 2010, did you tell your teammates why you were leaving?</p> <p>11 A. When I left Quakertown?</p> <p>12 Q. Yes.</p> <p>13 A. No, I don't believe so.</p> <p>14 Q. Did you give any farewell speech or tell them</p> <p>15 you had a physical condition that was going to prevent</p> <p>16 from you coaching?</p> <p>17 A. No. As a matter of fact, one of my assistant</p> <p>18 coaches believed that they just thought I didn't want</p> <p>19 to coach at the school any more.</p> <p>20 Q. Is there some reason you didn't tell them?</p> <p>21 A. No.</p> <p>22 Q. I mean, your coaches knew about your health</p> <p>23 condition, right?</p> <p>24 A. Yes, sir.</p>	<p>1 A. Yes, sir, in the spring of 2009.</p> <p>2 Q. Do you recall if there was an awards dinner or</p> <p>3 banquet at the end of the 2009 season?</p> <p>4 A. I do not.</p> <p>5 Q. All right. We just finished up with why you</p> <p>6 left Quakertown and when you left Quakertown. We</p> <p>7 started talking about FCA and what happened when you</p> <p>8 left FCA. Let's talk about your beginning at FCA</p> <p>9 first.</p> <p>10 You said that Ryan Clymer and Russ Hollenbach</p> <p>11 hired you?</p> <p>12 A. No, sir.</p> <p>13 Q. Who hired you?</p> <p>14 A. I believe it was Bob Clymer and Russ</p> <p>15 Hollenbach.</p> <p>16 Q. Maybe I misunderstood. What position or</p> <p>17 function did Bob Clymer play in the school at that</p> <p>18 time?</p> <p>19 A. He was the principal, I believe, at the time I</p> <p>20 was hired.</p> <p>21 Q. And that would have been 2005?</p> <p>22 A. I believe.</p> <p>23 Q. Was Russ Hollenbach there then?</p> <p>24 A. Yes.</p>

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<p>1 Q. Was he athletic director?</p> <p>2 A. He was the athletic director, yes, sir.</p> <p>3 Q. And you were hired as the basketball coach?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Girls basketball coach.</p> <p>6 A. Yes, sir.</p> <p>7 Q. For what years did your stepdaughter, Chelsea,</p> <p>8 attend FCA?</p> <p>9 A. She's my daughter through adoption --</p> <p>10 Q. I'm sorry --</p> <p>11 A. -- and she attended FCA from sixth to twelfth</p> <p>12 grade. The years I'd have to guess.</p> <p>13 Q. She's in the same grade as Elizabeth Nace?</p> <p>14 A. No, sir.</p> <p>15 Q. Who is older?</p> <p>16 A. Chelsea.</p> <p>17 Q. How many years?</p> <p>18 A. Approximately three.</p> <p>19 Q. Three years older than Elizabeth?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Were there occasions when Elizabeth Nace had</p> <p>22 sleep-overs at your house?</p> <p>23 A. Yes, sir.</p> <p>24 Q. Approximately how many before you resigned</p>	<p>1 Q. Did Chelsea ever have anybody sleep over at</p> <p>2 the house?</p> <p>3 A. I don't recall.</p> <p>4 Q. Not Rachel Maurer or anybody else that you can</p> <p>5 think of?</p> <p>6 A. She may have Rachel Maurer. I don't recall</p> <p>7 specifically, though.</p> <p>8 Q. Now, Chelsea was on the basketball team,</p> <p>9 correct?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Was there a player on the basketball team at</p> <p>12 FCA who may have been there just before Emily Mayer was</p> <p>13 there named Lauren Fretz?</p> <p>14 A. Yes.</p> <p>15 Q. Was she a basketball player?</p> <p>16 A. Yes.</p> <p>17 Q. Did you coach her?</p> <p>18 A. Yes.</p> <p>19 Q. How many years?</p> <p>20 A. Three or four.</p> <p>21 Q. Was she there at any time that Emily Mayer was</p> <p>22 at FCA?</p> <p>23 A. No.</p> <p>24 Q. Emily Mayer was there for what years, her</p>
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<p>1 from FCA on January 5th, 2010?</p> <p>2 A. None.</p> <p>3 Q. I'm sorry. Emily Mayer: Was Emily Mayer a</p> <p>4 friend of your daughter's?</p> <p>5 A. For a time, short time.</p> <p>6 Q. Were they in the same grade?</p> <p>7 A. No.</p> <p>8 Q. Who was older?</p> <p>9 A. Emily.</p> <p>10 Q. By how much?</p> <p>11 A. I believe a year.</p> <p>12 Q. Did Emily Mayer come to your house for a</p> <p>13 sleep-over?</p> <p>14 A. No.</p> <p>15 Q. Never?</p> <p>16 A. Not that I recall.</p> <p>17 Q. Was there a period of time where you believed</p> <p>18 that Emily Mayer and Chelsea were best friends?</p> <p>19 A. No.</p> <p>20 Q. Who was Chelsea's best friend back then?</p> <p>21 A. Rachel Maurer.</p> <p>22 Q. Did you ever invite or suggest to Emily Mayer</p> <p>23 that she come over for a sleep-over at your house?</p> <p>24 A. No.</p>	<p>1 years? Like eleventh grade, twelfth grade?</p> <p>2 A. I believe eleventh and twelfth.</p> <p>3 Q. And Fretz graduated sometime before that.</p> <p>4 A. Yes. If I recall correctly, Lauren graduated</p> <p>5 and the following year Emily came to the school.</p> <p>6 Q. So, to your knowledge, did they know each</p> <p>7 other, Lauren Fretz and Emily Mayer?</p> <p>8 A. Not that I know of, not until Emily came to</p> <p>9 the school. Unless there was tough competition, then</p> <p>10 we went to another private school and participated</p> <p>11 against her. Maybe as an opponent, but I don't know if</p> <p>12 personally.</p> <p>13 Q. Where else did Emily play before FCA?</p> <p>14 A. What schools did she attend or just played?</p> <p>15 Q. She played basketball. You said she may have</p> <p>16 played at another school.</p> <p>17 A. At Calvary Baptist.</p> <p>18 Q. Is that a rival of FCA?</p> <p>19 A. At that time. It was one of a few.</p> <p>20 Q. How was your relationship with Lauren Fretz as</p> <p>21 a coach and player?</p> <p>22 A. It was good.</p> <p>23 Q. Did you ever engage in any inappropriate</p> <p>24 sexual behavior with Lauren Fretz? And by that I mean</p>

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<p>1 anything from texting to photos to videos to physical</p> <p>2 contact, anything at all.</p> <p>3 A. No.</p> <p>4 Q. Did anybody ever accuse you of engaging in</p> <p>5 that type of conduct with Lauren Fretz?</p> <p>6 A. No.</p> <p>7 Q. Did you ever hear any scuttlebutt in the</p> <p>8 hallways or teachers talking or whatever where people</p> <p>9 were questioning your relationship with Lauren Fretz?</p> <p>10 A. Not at all.</p> <p>11 Q. For away games when you were coaching at FCA,</p> <p>12 did the girls go on a bus?</p> <p>13 A. Yes.</p> <p>14 Q. Did the girls ever change clothes on the bus,</p> <p>15 either into their uniforms or out of their uniforms on</p> <p>16 the bus going to or from FCA?</p> <p>17 A. No.</p> <p>18 Q. Did the girls ever change on the bus going to</p> <p>19 or from Quakertown when you coached there?</p> <p>20 A. Not that I recall because I wasn't always on</p> <p>21 the bus.</p> <p>22 Q. Just the times that you were on the bus.</p> <p>23 A. Okay. Not that I recall, no.</p> <p>24 Q. Let's talk about your relationship with Emily</p>	<p>1 specifics.</p> <p>2 Q. Well, you talked to Emily a lot, right?</p> <p>3 A. Her senior year I believe I did, yes.</p> <p>4 Q. And you texted her frequently, correct?</p> <p>5 A. Yes.</p> <p>6 Q. And you said that FCA didn't have any policy</p> <p>7 against texting.</p> <p>8 A. No.</p> <p>9 Q. Between coach and players, correct?</p> <p>10 A. No.</p> <p>11 Q. In the fall into the winter of 2009, were you</p> <p>12 coaching her?</p> <p>13 A. Yes.</p> <p>14 Q. And in what capacity? What season?</p> <p>15 A. Basketball.</p> <p>16 Q. And during that time, from September to the</p> <p>17 end of 2009, did you ever have occasion to text her?</p> <p>18 A. Yes.</p> <p>19 Q. How many occasions?</p> <p>20 A. I don't recall.</p> <p>21 Q. More than ten?</p> <p>22 A. Yes.</p> <p>23 Q. More than a hundred?</p> <p>24 A. Yes.</p>
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<p>1 Mayer.</p> <p>2 A. Okay.</p> <p>3 Q. She transferred to FCA from Calvary Baptist.</p> <p>4 Is that correct?</p> <p>5 A. I believe it was either Calvary Baptist or</p> <p>6 public school. She was dismissed from two schools in</p> <p>7 the previous, I believe, twelve to eighteen months. I</p> <p>8 don't know if she came from Calvary or if she came from</p> <p>9 some public school she was dismissed from.</p> <p>10 Q. For what reason?</p> <p>11 A. For what reason was she dismissed?</p> <p>12 Q. Yes.</p> <p>13 A. I do not know.</p> <p>14 Q. How do you know she was dismissed?</p> <p>15 A. She told me.</p> <p>16 Q. But you don't recall what she told you about</p> <p>17 why she was dismissed?</p> <p>18 A. No, sir.</p> <p>19 Q. I mean, was it something criminal?</p> <p>20 A. Apparently not, if she wasn't charged. I</p> <p>21 don't know, though.</p> <p>22 Q. Was it for some kind of misconduct: Fighting,</p> <p>23 stealing?</p> <p>24 A. Some sort of misconduct, but I didn't get into</p>	<p>1 Q. More than a thousand?</p> <p>2 A. I don't know.</p> <p>3 Q. You don't know if it was more than a thousand?</p> <p>4 A. I don't.</p> <p>5 Q. On any given day what would be the maximum</p> <p>6 number of texts that you would send to Emily Mayer?</p> <p>7 A. I don't recall.</p> <p>8 Q. More than a hundred?</p> <p>9 A. I don't recall.</p> <p>10 Q. When you say you don't recall, I'm not asking</p> <p>11 you what you ate for lunch on a certain day in 2009.</p> <p>12 I'm asking you if in the month of December</p> <p>13 2009 you have any -- this is just before you resigned</p> <p>14 or were sending a letter of resignation from FCA: Do</p> <p>15 you recall how many texts -- ballpark it, estimate it,</p> <p>16 approximate it. I don't want you to guess, but I want</p> <p>17 you to approximate how many emails you sent to her that</p> <p>18 month in December.</p> <p>19 A. Emails or texts.</p> <p>20 Q. I'm sorry, texts.</p> <p>21 A. In September?</p> <p>22 Q. December.</p> <p>23 A. December. If I had to approximate, fifty.</p> <p>24 Q. And for what purpose or for what reason were</p>

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<p>1 you sending her approximately fifty emails in December 2 of 2009? 3 A. There were many. She spent a good bit of time 4 on the fact that she had a stepdad herself, discussing 5 their relationship and the issues she had with their 6 family. 7 We discussed an issue that she was having with 8 something that was said to her boyfriend at the time in 9 regards to him and her. 10 Q. What was said? 11 A. Someone at the time must have said something 12 to him about why he was dating someone like her and it 13 caused a rift at the time. 14 Q. When you say "someone like her," what did that 15 mean to you at the time? What was your understanding of 16 why somebody would make a comment about her as "someone 17 like her"? 18 A. Maybe because of the history that she had of 19 being kicked out of schools and whatever else went on 20 in her past. 21 Q. What else did you discuss and text to Emily 22 Mayer at any time during September, October, November 23 and December 2009? 24 A. Things regarding basketball, the school, her</p>	<p>1 FCA's team. 2 A. Not that I'm aware of, no. 3 Q. Did you ever have any reason to text any of 4 the other girls on FCA's team in 2009? 5 A. Unless it was a bulk email about a change in 6 practice and so on and so forth, but that would have 7 been sent to all of them. 8 Q. A cancellation or change in practice, right? 9 That would be a bulk email where you would send out one 10 text to everyone. 11 A. Yes, they showed me how to attach all at once. 12 Q. But with Emily Mayer we're not talking about 13 bulk texts. We're talking about texts between you and 14 her, correct? 15 A. Yes. 16 Q. What was your cell phone number back then? 17 A. I believe it was the same as it was at the 18 end: 267-218-5232, I believe. 19 Q. That was your cell phone, only your cell 20 phone? 21 A. Yes. 22 Q. And you had that up until the time that you 23 were arrested in October of 2013? 24 A. I had that telephone number, yes.</p>
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<p>1 college options. But the bulk of it was spent on her 2 family, her relationship with her father, relationship 3 with her sister, and what was going on with him at the 4 time. 5 Q. Did you have these discussions with her in 6 person as well? 7 A. No, sir. 8 Q. Only by texts? 9 A. Yes. 10 Q. Did you ever email her? 11 A. No. 12 Q. Did you ever send her any photos? 13 A. No. 14 Q. Any videos? 15 A. No. 16 Q. When I say photos or videos, I mean whether 17 they're appropriate or inappropriate or whatever. Any 18 at all. 19 A. Not that I'm aware of. 20 Q. Did you have similar texting -- I'll call them 21 texting conversations with other players on the 22 Quakertown team? 23 A. Quakertown? 24 Q. I'm sorry, strike that. Other players on</p>	<p>1 Q. Did you have a passcode or a password or 2 something in order to get on that phone? 3 A. In 2009? 4 Q. Yes. 5 A. Not that I recall. 6 Q. How about in 2013? 7 A. Yes. 8 Q. What was the passcode or code number or word 9 or whatever? 10 A. I believe it was 0519. 11 Q. What is Elizabeth Nace's birthday? 12 A. May 19th. 13 Q. Is that why that was your passcode? 14 A. Yes. 15 Q. Why would you put your passcode as her 16 birthday? 17 A. I don't know. Why would I have done anything 18 I did back then? 19 Q. That's what I'm going to ask you about. What 20 was your passcode for the phone before you met 21 Elizabeth Nace or before it was 0519? 22 A. I don't believe I ever had one. 23 Q. You just put one on after you met Elizabeth 24 Nace?</p>

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<p>1 A. Yes.</p> <p>2 Q. How do you know what her birthday is?</p> <p>3 A. She told me.</p> <p>4 Q. And I'll ask you the question again: Can you</p> <p>5 give me any reasons that are not good why you made the</p> <p>6 passcode your personal cell phone one of your player's</p> <p>7 birth dates?</p> <p>8 A. Probably so no one else could get in to see</p> <p>9 the text messages.</p> <p>10 Q. You could have picked 1234, but why did you</p> <p>11 pick that date?</p> <p>12 A. I don't know.</p> <p>13 Q. Was that date important to you at the time you</p> <p>14 chose that for your passcode?</p> <p>15 A. At the time, yes.</p> <p>16 Q. Why was it important to you?</p> <p>17 A. Because it was her birthday.</p> <p>18 Q. And in 2013, when May 19th came around, how</p> <p>19 old did Elizabeth Nace become?</p> <p>20 A. In 2013?</p> <p>21 Q. Yes.</p> <p>22 A. Sixteen, I believe.</p> <p>23 Q. Was that important to you?</p> <p>24 A. No.</p>	<p>1 A. I don't believe so.</p> <p>2 Q. Was the subject matter or content of any of</p> <p>3 those texts from you to her any inappropriate words</p> <p>4 regarding sexual issues, sexual behavior, sexual</p> <p>5 issues, her sex life, your sex life, a sex life you</p> <p>6 would like to have with her, something you would like</p> <p>7 to do to her?</p> <p>8 A. No.</p> <p>9 Q. Not one of them.</p> <p>10 A. No.</p> <p>11 Q. They were all just about her personal life,</p> <p>12 her stepfather, something about her boyfriend, school,</p> <p>13 college, those things, correct?</p> <p>14 A. And related to her past.</p> <p>15 Q. The past that you really can't give me details</p> <p>16 about.</p> <p>17 A. Her past?</p> <p>18 Q. Yes.</p> <p>19 A. I can give you details, but not as to why she</p> <p>20 was dismissed from the school.</p> <p>21 Q. What other past are you talking about?</p> <p>22 A. While she was at Calvary there was someone</p> <p>23 that she dated that she actually ran away from her home</p> <p>24 for; and because of the issues that she was having with</p>
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<p>1 Q. Meant nothing, whether it was her sixteenth or</p> <p>2 fifteenth or seventeenth birthday?</p> <p>3 A. No.</p> <p>4 Q. We're getting away from Emily Mayer. Sorry</p> <p>5 about that, but we'll get back to Elizabeth obviously</p> <p>6 in the future.</p> <p>7 So, back in 2009 you were not texting any</p> <p>8 other players or students at FCA with the type of</p> <p>9 personal texts that were going back and forth between</p> <p>10 you and Emily Mayer, correct?</p> <p>11 A. Not that I recall.</p> <p>12 Q. And you said that was approximately -- in</p> <p>13 December of that month it was approximately fifty</p> <p>14 emails from you to her, correct?</p> <p>15 A. If I had to put a number on it, it would be</p> <p>16 approximately fifty.</p> <p>17 Q. And I'm not holding you to that number</p> <p>18 specifically.</p> <p>19 A. Okay.</p> <p>20 Q. It could be more, it could be less.</p> <p>21 A. Okay.</p> <p>22 Q. Could it be more than a hundred?</p> <p>23 A. Maybe.</p> <p>24 Q. More than 500?</p>	<p>1 her parents, she mentioned doing that again.</p> <p>2 Q. Doing it again when?</p> <p>3 A. At that time. Not with the same guy.</p> <p>4 Q. While she was at Calvary, not while she was at</p> <p>5 FCA?</p> <p>6 A. When she ran away from the guy I just told you</p> <p>7 about?</p> <p>8 Q. Yes.</p> <p>9 A. That was while she was at Calvary.</p> <p>10 Q. But you said she was talking about doing it</p> <p>11 again.</p> <p>12 A. Because of the issue she was having with her</p> <p>13 parents at the time while attending at FCA.</p> <p>14 Q. And who was she going to run away with that</p> <p>15 time?</p> <p>16 A. She had a boyfriend at the time that she</p> <p>17 mentioned, and also her biological father.</p> <p>18 Q. Was her boyfriend Chase Brunner?</p> <p>19 A. Yes.</p> <p>20 Q. What did she say about her biological father?</p> <p>21 A. It was not what she said about her biological</p> <p>22 father. It was what she said about her stepfather:</p> <p>23 That they were paying more attention to her older</p> <p>24 sister, who at the time I believe just had a baby; and</p>

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<p>1 that they weren't showing up for her games and so on</p> <p>2 and so forth; and that he was not being a father to her</p> <p>3 at all, and that it was her desire at the time to go</p> <p>4 back with her regular father.</p> <p>5 Q. Who was where?</p> <p>6 A. That I don't know. He was in the area</p> <p>7 somewhere. I know that because he would show up</p> <p>8 occasionally.</p> <p>9 Q. Did you give her advice?</p> <p>10 A. Yes.</p> <p>11 Q. What advice did you give her?</p> <p>12 A. My advice was that she talk with her parents</p> <p>13 because it was obviously causing a rift, which was</p> <p>14 noticeable at the games and from the words that she was</p> <p>15 saying. It was causing a rift between her siblings,</p> <p>16 step or otherwise.</p> <p>17 Q. When you texted Emily Mayer, did she usually</p> <p>18 return your texts?</p> <p>19 A. Usually.</p> <p>20 Q. Not always?</p> <p>21 A. As far as I recall, she did.</p> <p>22 Q. If she didn't return a text, would you bug her</p> <p>23 about it? Would you send her more frequent texts?</p> <p>24 A. No, but there were times where I would state</p>	<p>1 Emily Mayer?</p> <p>2 A. There was approximately maybe a two- to</p> <p>3 three-week period where Ryan Clymer asked me to just</p> <p>4 wait to hear from him while he talked with different</p> <p>5 parties involved.</p> <p>6 We met, I believe, sometime maybe in very,</p> <p>7 very late December or maybe right after the new year --</p> <p>8 I can't recall -- and basically what was said was that</p> <p>9 she mentioned about inappropriate texts, which I argued</p> <p>10 about. I didn't argue the quantity. I argued the</p> <p>11 content.</p> <p>12 They discussed with me at the time that the</p> <p>13 only request that the parents had at that time was that</p> <p>14 she be reinstated to the team, because she was asked to</p> <p>15 step aside as well while everything was being looked</p> <p>16 upon.</p> <p>17 Being that the season was close to the end, it</p> <p>18 was suggested by the athletic director in that meeting</p> <p>19 to step aside and possibly come back the following</p> <p>20 year, which I declined.</p> <p>21 Q. You declined to come back.</p> <p>22 A. Yes.</p> <p>23 Q. That would be Russ Hollenbach.</p> <p>24 A. Yes.</p>
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<p>1 something and then maybe add to it.</p> <p>2 Q. Add to it. Did you ever do a text with a lot</p> <p>3 of question marks?</p> <p>4 A. I don't recall.</p> <p>5 Q. All right. You coached, at FCA, the girls</p> <p>6 basketball team until sometime in December of 2009,</p> <p>7 correct?</p> <p>8 A. Until January 5th of 2010.</p> <p>9 Q. You sent in a letter of resignation on that</p> <p>10 day, correct?</p> <p>11 A. Yes.</p> <p>12 Q. But there was a Christmas break and whatever,</p> <p>13 so was there anything going on between December 25th</p> <p>14 and January 5th with the team?</p> <p>15 A. With the team? No. That's when the</p> <p>16 investigation was going on.</p> <p>17 Q. That's what I'm saying. So, it was sometime</p> <p>18 in December that you stopped coaching the team. I mean</p> <p>19 having physical contact with the team.</p> <p>20 A. Yes.</p> <p>21 Q. Is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. What happened in December regarding an</p> <p>24 investigation into your behavior and relationship with</p>	<p>1 Q. Let me break that down a little bit.</p> <p>2 The first information you got that Emily Mayer</p> <p>3 had complained about something you were doing</p> <p>4 specifically relating to these texting -- and I think</p> <p>5 you used the phrase "inappropriate texts," right?</p> <p>6 A. That's what she said, yes.</p> <p>7 Q. When were you first made aware of that -- and</p> <p>8 how? Was it by phone, by personal meeting, or what?</p> <p>9 A. I don't recall who told me that something was</p> <p>10 said, but then I called the principal at the time on</p> <p>11 the telephone.</p> <p>12 Q. Ryan Clymer.</p> <p>13 A. Ryan Clymer, yes.</p> <p>14 Q. And?</p> <p>15 A. And asked him what was going on, and he told</p> <p>16 me about the allegations. And I believe I continued on</p> <p>17 for maybe another day or two, and that's when I believe</p> <p>18 we had another game maybe the following day, and then</p> <p>19 it was right after that game that I stepped aside for</p> <p>20 the investigation.</p> <p>21 Q. So, you heard it first from someone else</p> <p>22 besides Clymer that there had been a complaint about</p> <p>23 you?</p> <p>24 A. Yes.</p>

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<p>1 Q. Who did you hear it from?</p> <p>2 A. I don't know if it was an assistant coach or</p> <p>3 someone within the school, but basically what was said</p> <p>4 to me was that she said something to the administration</p> <p>5 which triggered my phone call to Ryan, but I don't</p> <p>6 recall who told me that for sure.</p> <p>7 Q. So, you actually called him to find out what</p> <p>8 was going on?</p> <p>9 A. Yes.</p> <p>10 Q. He didn't call you first?</p> <p>11 A. No. I used the cell phone in the -- the</p> <p>12 telephone in the athletic director's office to contact</p> <p>13 him on his cell phone and ask him what was going on.</p> <p>14 Q. What did he tell you?</p> <p>15 A. He said that she made an allegation of an</p> <p>16 inappropriate text and that they were going to look</p> <p>17 into it, and we discussed it for a few minutes and I</p> <p>18 went back to practice, then we talked maybe two days</p> <p>19 later and that's when he said, you know, let all</p> <p>20 parties sit down for a while before we decide what's</p> <p>21 going to happen.</p> <p>22 Q. Now, when he used the term "inappropriate</p> <p>23 texts," did he say to you specifically that it was</p> <p>24 sexual in nature, the text?</p>	<p>1 BY MR. GROTH:</p> <p>2 Q. Did you ask anybody why she wasn't there?</p> <p>3 A. After I had the conversation with Ryan, they</p> <p>4 didn't want her there.</p> <p>5 Q. That wasn't my question. Did you ask anybody</p> <p>6 why she was not at practice?</p> <p>7 A. No.</p> <p>8 Q. You said that Clymer didn't tell you that he</p> <p>9 had dismissed her and told her to leave school.</p> <p>10 A. No.</p> <p>11 Q. Did Clymer tell you that he told her she</p> <p>12 couldn't participate in any basketball activities while</p> <p>13 this was being investigated?</p> <p>14 A. No.</p> <p>15 Q. Did Ryan Clymer tell you that you could not</p> <p>16 participate in any basketball activities while he was</p> <p>17 doing the investigation?</p> <p>18 A. I believe it was two days later after that</p> <p>19 phone call that we met. And being that it was</p> <p>20 Christmas break and there was nothing going on anyways,</p> <p>21 that's when I knew that all parties were going to sit</p> <p>22 aside and wait until this investigation took place and</p> <p>23 that he would get back to me.</p> <p>24 Q. That meeting with Clymer two days later, where</p>
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<p>1 A. "Inappropriate" only.</p> <p>2 Q. He didn't say having to do with some sexual</p> <p>3 content of the email or emails -- sorry, of the text or</p> <p>4 texts?</p> <p>5 A. Not that I recall.</p> <p>6 Q. Inappropriate. You did not ask him what he</p> <p>7 meant by the term "inappropriate"?</p> <p>8 A. Just that there was an inappropriate text</p> <p>9 sent, which I refuted, and he said he would contact me,</p> <p>10 you know, in the next couple days and decide what's</p> <p>11 going to be going on here.</p> <p>12 Q. All right. Was it your understanding that at</p> <p>13 the time that you had that conversation, that first</p> <p>14 conversation, telephone conversation, with Mr. Clymer,</p> <p>15 that he had already dismissed Emily Mayer from the</p> <p>16 school and told her to go home and not come to school?</p> <p>17 A. No.</p> <p>18 Q. Did she show up for practice that night?</p> <p>19 A. No, I don't believe so.</p> <p>20 Q. In the day or two that you remained coaching</p> <p>21 the team, did you see her at practice or at a game?</p> <p>22 A. No.</p> <p>23 MR. SANTARONE: Objection to the form</p> <p>24 of the question.</p>	<p>1 was that meeting?</p> <p>2 A. I believe that was at the school.</p> <p>3 Q. At his office?</p> <p>4 A. Possible. I can't say if it was in his office</p> <p>5 or if it was by telephone, but I know it was two days</p> <p>6 later.</p> <p>7 Q. Well, if it was in person, there could have</p> <p>8 been other people at the meeting; if it was by</p> <p>9 telephone --</p> <p>10 A. There was no other person present.</p> <p>11 Q. Hollenbach wasn't involved in this?</p> <p>12 A. No.</p> <p>13 Q. Did you ever call Russ Hollenbach -- who was a</p> <p>14 good personal friend of yours, right?</p> <p>15 A. Yes.</p> <p>16 Q. (Continuing) -- did you ever call him and ask</p> <p>17 him what was going on?</p> <p>18 A. I believe so, yes.</p> <p>19 Q. Did you do it the first day that Mr. Clymer</p> <p>20 told you about the complaint by Emily Mayer and that</p> <p>21 there was going to be an investigation? Did you call</p> <p>22 Hollenbach right away?</p> <p>23 A. I don't believe it was right away. I believe</p> <p>24 it was over Christmas.</p>

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<p>1 Q. What did you discuss with him?</p> <p>2 A. I just asked him if he had any other</p> <p>3 information, and at that time there was no</p> <p>4 investigation done. That still needed to take place.</p> <p>5 He basically told me the same thing that Mr. Clymer</p> <p>6 did.</p> <p>7 Q. Did he say the content of the email or --</p> <p>8 strike that. Did he say the content of the texts or</p> <p>9 the multiple texts that were inappropriate was because</p> <p>10 it was sexual in nature?</p> <p>11 A. No.</p> <p>12 Q. Did he say whether or not he had spoken to</p> <p>13 Emily Mayer himself?</p> <p>14 A. No.</p> <p>15 Q. Did you ask them what they were going to do to</p> <p>16 investigate this?</p> <p>17 A. I asked him what kind of time frame we were</p> <p>18 looking at. I asked him if I was going to be brought</p> <p>19 in for questioning. And basically what she said was</p> <p>20 "we need time."</p> <p>21 There were times I tried to contact them</p> <p>22 throughout that couple of weeks, and my phone calls</p> <p>23 were not returned because he wanted to wait until the</p> <p>24 investigation was completed.</p>	<p>1 consist of and what they wanted from you?</p> <p>2 A. No. All they asked of me was just to wait and</p> <p>3 then they would bring me in to talk to me, and outside</p> <p>4 of that I still to this day have no idea what took</p> <p>5 place.</p> <p>6 Q. Did you attempt to contact Emily Mayer at all?</p> <p>7 A. No.</p> <p>8 Q. Did you eventually have a face-to-face meeting</p> <p>9 with Clymer and/or Hollenbach?</p> <p>10 A. Yes.</p> <p>11 Q. When? January or December?</p> <p>12 A. I believe it was January.</p> <p>13 Q. Now, before that January face-to-face -- and</p> <p>14 obviously that was sometime on or before January 5th,</p> <p>15 when you sent in your resignation letter?</p> <p>16 A. I believe it was right before.</p> <p>17 Q. Same day?</p> <p>18 A. No, I don't believe so.</p> <p>19 Q. Okay.</p> <p>20 A. If I had to guess, I would say it was January</p> <p>21 3rd or 4th. It was right before.</p> <p>22 Q. And you met with Clymer and Hollenbach?</p> <p>23 A. Yes.</p> <p>24 Q. Before we get to that meeting, were there any</p>
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<p>1 Q. But you had no idea what the investigation</p> <p>2 consisted of.</p> <p>3 A. No.</p> <p>4 Q. Were you he ever told whether or not FCA hired</p> <p>5 an attorney to assist with the investigations or give</p> <p>6 them advice about the investigation?</p> <p>7 A. I believe in the last meeting that we had in</p> <p>8 Mr. Clymer's office, I believe he said that he had had</p> <p>9 a discussion with his attorney. I do not recall who the</p> <p>10 attorney was or what the nature of that conversation</p> <p>11 was.</p> <p>12 Q. Did Ryan Clymer ever tell you that he</p> <p>13 consulted with or retained or sought advice from a</p> <p>14 police official or a former detective or private</p> <p>15 detective regarding investigating these allegations?</p> <p>16 A. That I don't know. I don't even know what the</p> <p>17 details of the full investigation was.</p> <p>18 Q. So, you had an initial phone call with Clymer,</p> <p>19 then a couple days later you had another phone call</p> <p>20 with Clymer and a telephone conversation with</p> <p>21 Hollenbach, correct?</p> <p>22 A. Yes.</p> <p>23 Q. During either telephone call did either one of</p> <p>24 them tell you what the investigation was going to</p>	<p>1 other telephone calls in between there, from the end</p> <p>2 around Christmas of December until that face-to-face</p> <p>3 meeting in January, either the 3rd or the 4th?</p> <p>4 A. I attempted to contact Mr. Clymer, but I did</p> <p>5 not get ahold of him.</p> <p>6 Q. During this time were you experiencing any</p> <p>7 health problems relating to your heart?</p> <p>8 A. Yes.</p> <p>9 Q. What were the problems?</p> <p>10 A. I was having palpitations again and found</p> <p>11 myself to be tired a lot and just not feeling good</p> <p>12 overall.</p> <p>13 Q. Did this situation with Emily Mayer put you</p> <p>14 under a lot of stress?</p> <p>15 A. Yes.</p> <p>16 Q. Were you worried about what they were going to</p> <p>17 find out in their investigation?</p> <p>18 A. No.</p> <p>19 Q. Why?</p> <p>20 A. Because from the beginning I told them that I</p> <p>21 knew and I believed, when the investigation was</p> <p>22 completed, that -- you know, not knowing what was going</p> <p>23 to be investigated, that my name would be cleared and I</p> <p>24 suspected the whole time that I would be back.</p>

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<p>1 Q. Well, as of January 3rd or 4th, when you met 2 with Clymer and Hollenbach, did they tell you their 3 investigation was completed? 4 A. No, they contacted me -- before the meeting? 5 Q. No, at the meeting. 6 A. At the meeting they told me that they 7 conducted an investigation. The only thing about the 8 investigation that I was told is that they talked to 9 her, they talked to her parents, and I believe in that 10 meeting as well, as I told you before, that I believe 11 they had maybe one phone conversation with their 12 attorney -- 13 Q. He wasn't at the meeting. 14 A. No. 15 Q. Okay. And? 16 A. And the best solution would be for me to step 17 aside for the remainder of the year, because basically 18 what her parents wanted was her to be returned to the 19 team and nothing else, which I already knew about. 20 Q. So, based on that meeting with Clymer and 21 Hollenbach on January 3rd or 4th, as far as you know, 22 the investigation of FCA consisted of talking to Emily 23 and her parents, correct? 24 A. Yes.</p>	<p>1 Q. Did you try to? 2 A. No. 3 Q. Did Clymer and Hollenbach at the meeting on 4 January 3rd or 4th tell you that they talked to any 5 other students? 6 A. Outside of Lauren. 7 Q. Yes. 8 A. I believe that Emily Mayer mentioned 9 someone -- I believe it was Kristen Kennedy who was 10 mentioned in the complaint. But outside of what's in 11 the complaint, I don't know what the whole story of 12 what that involved. 13 Q. They didn't tell you what they asked her about 14 and what she told them? 15 A. That I sent a message to her, which I denied. 16 I had no contact with Kristen Kennedy at all. 17 Q. They told you that she said that you sent 18 heard a text message, a single text message? 19 A. That was what was alleged. I don't know if it 20 was a text message or email, whatever. I can't recall 21 exactly what it was. 22 Q. Did you ever have conversations, either in 23 person or through texting or email, with Kristen 24 Kennedy about sexual issues, including her own sex</p>
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<p>1 Q. And nothing else. 2 A. I believe they may have talked to the 3 assistant coaches and I believe they talked to Lauren 4 Fretz as well. 5 Q. What did they tell you they talked to Lauren 6 about? 7 A. They told me that they asked her mother 8 because Emily Mayer said that I sent text messages to 9 Lauren that were inappropriate and that there was a 10 phone conversation between Ryan and Lauren about what 11 was alleged by Emily Mayer. And Ryan told me that 12 Lauren's response was "Oh, he's coach. He's always 13 coach." 14 And her mother confiscated Lauren's phone and 15 saw text messages on her phone from me, which were 16 nothing but had to do with her helping out with 17 practice and were strictly basketball related. 18 Q. Did Clymer or Hollenbach tell you that there 19 were suspicions on their part based on information they 20 got that you actually had a sexual physical 21 relationship with Lauren Fretz? 22 A. No. 23 Q. Did you? 24 A. No.</p>	<p>1 life, her sex life with her boyfriend, what kind of sex 2 life she had, what type of things she did, anything of 3 that nature? 4 A. Absolutely not. I don't even know who she 5 even ever dated. 6 Q. Were you ever contacted by Kristen Kennedy's 7 father and told to stay away from her? 8 A. No. As a matter of fact, the following year I 9 saw him at a Christopher Dock game and said hello. 10 Q. Is Kristen a basketball player? 11 A. She was. She was at the school for one year. 12 Q. Had she been dismissed from other schools as 13 well? 14 A. I don't know. 15 Q. Did she ever tell you anything about her 16 background? 17 A. No. 18 Q. How often did you text her? 19 A. Never. 20 Q. Not once. 21 A. Not once. 22 Q. Email? 23 A. Never. 24 Q. Did Clymer and Hollenbach tell you that she</p>

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<p>1 did any other investigation other than what you've</p> <p>2 already talked about? Talking to Emily and her</p> <p>3 parents, assistant coaches, Kristen Kennedy, Lauren</p> <p>4 Fretz.</p> <p>5 A. No.</p> <p>6 Q. And my question to you is, when did they talk</p> <p>7 to you? When did they ask you about what they had been</p> <p>8 told by other people?</p> <p>9 Because at your meeting, as I understand it,</p> <p>10 on the 3rd or the 4th, they were calling you in to tell</p> <p>11 you it would be best if you stepped aside from the</p> <p>12 school for the rest of the basketball season.</p> <p>13 A. Everything I just told you, including some of</p> <p>14 the questions you asked me, they asked at that meeting.</p> <p>15 Q. Okay.</p> <p>16 A. At that same meeting -- at the conclusion of</p> <p>17 the that meeting was when the solution was, you know,</p> <p>18 presented to me to step down, whether Mr. Hollenbach</p> <p>19 said at the time about stepping down for the rest of</p> <p>20 the year and coming back the following year, which I</p> <p>21 declined, and Mr. Hollenbach and I left the meeting</p> <p>22 because I was very mad.</p> <p>23 Q. Isn't it true that it wasn't suggested that</p> <p>24 you step down; that you were told by Clymer and</p>	<p>1 A. Yes.</p> <p>2 Q. When they talked about quantity, did they tell</p> <p>3 you they knew what the quantity was?</p> <p>4 A. No, they showed me -- I believe they pulled it</p> <p>5 up on a screen, something that may have been sent by</p> <p>6 the father.</p> <p>7 Q. Emily's father.</p> <p>8 A. I believe so, yes. It had dates and times and</p> <p>9 so on and so forth that text messages were sent. They</p> <p>10 showed me one page of it on -- or a page or two of it</p> <p>11 on the computer screen.</p> <p>12 Q. Okay.</p> <p>13 A. And that was the extent of it.</p> <p>14 Q. What was the quantity that was shown on that</p> <p>15 computer screen?</p> <p>16 A. I don't know. Whatever consists of one page</p> <p>17 of texts.</p> <p>18 Q. One page of texts. That's what they showed</p> <p>19 you.</p> <p>20 A. No, they showed me one or two pages of texts.</p> <p>21 He scrolled down to show me another page.</p> <p>22 Q. Were those texts for one day or more than one</p> <p>23 day?</p> <p>24 A. I don't recall. It was in the month of either</p>
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<p>1 Hollenbach that if you did not resign voluntarily, you</p> <p>2 were going to be terminated?</p> <p>3 A. No.</p> <p>4 Q. That never happened?</p> <p>5 A. Not that I recall.</p> <p>6 Q. Never had that discussion?</p> <p>7 A. Not that I recall, because then why would Mr.</p> <p>8 Hollenbach offer me to come back the following year if</p> <p>9 that was the case?</p> <p>10 Q. When Clymer and Hollenbach told you about</p> <p>11 their investigation, did it ever come up that some of</p> <p>12 these texts that you were sending to Emily Mayer as</p> <p>13 reported by her were sexual in nature?</p> <p>14 A. No. It was brought up that they were</p> <p>15 excessive in quantity, which Mr. Hollenbach said to me</p> <p>16 "I should have said something to you because this is</p> <p>17 how kids communicate with their friends, their</p> <p>18 coaches," so on and so forth.</p> <p>19 Q. So, you had discussed with Clymer and</p> <p>20 Hollenbach the quantity, but not the content of the</p> <p>21 texts?</p> <p>22 A. No -- yes, the quantity. They asked me what</p> <p>23 the content was.</p> <p>24 Q. Right, and you told them what you told me.</p>	<p>1 September or October, I believe, what they showed me.</p> <p>2 Q. The texts that the document had put up on the</p> <p>3 screen and showed you, it showed a date, the time, and</p> <p>4 the length of the text, or just the date and the time?</p> <p>5 A. No, it shows the date, the time, and I believe</p> <p>6 the number. I believe it has sent or received or who</p> <p>7 send it or who received it.</p> <p>8 Q. Okay.</p> <p>9 A. But not the length or anything like that.</p> <p>10 Q. And were some of these texts at night?</p> <p>11 A. Yes.</p> <p>12 Q. Were these late at night?</p> <p>13 A. Yes.</p> <p>14 Q. Like 11:00 at night?</p> <p>15 A. Yes.</p> <p>16 Q. 12:00 at night?</p> <p>17 A. Yes.</p> <p>18 Q. Did you tell your wife you were texting this</p> <p>19 student 12:00 at night?</p> <p>20 A. I don't believe so.</p> <p>21 Q. Did you ever tell your wife you were texting</p> <p>22 this student dozens of times?</p> <p>23 A. She knew I texted my players.</p> <p>24 Q. I'm not talking about your players. I'm not</p>

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<p>1 talking about the basketball-relates texts. I'm talking</p> <p>2 about the personal ones where you were discussing</p> <p>3 personal issues with one of your players. Did you tell</p> <p>4 her that you were doing that on a regular basis?</p> <p>5 A. No.</p> <p>6 Q. Why not?</p> <p>7 A. Didn't think there was any need to.</p> <p>8 Q. Did you ever text Emily Mayer in front of your</p> <p>9 wife?</p> <p>10 A. Yes.</p> <p>11 Q. Did you tell her who you were texting and why?</p> <p>12 A. Yes.</p> <p>13 Q. Did you ever discuss Emily Mayer's problems</p> <p>14 with your wife?</p> <p>15 A. Yes.</p> <p>16 Q. How many times?</p> <p>17 A. Many, as well as my assistant coaches and</p> <p>18 everyone else.</p> <p>19 Q. What did you tell your wife about Emily Mayer?</p> <p>20 A. The issues that she was having with her</p> <p>21 stepdad and issues that she was having with her family,</p> <p>22 so on and so forth.</p> <p>23 I also told her that previously, about a week</p> <p>24 before the allegations were made, that I removed her as</p>	<p>1 figure this out, you guys are both stepping down as</p> <p>2 captain."</p> <p>3 Q. Did they figure it out before all this stuff</p> <p>4 hit the fan in December?</p> <p>5 A. No.</p> <p>6 Q. Did you ever ask or did Mr. Clymer or Mr.</p> <p>7 Hollenbach ever tell you that they actually saw any of</p> <p>8 these emails?</p> <p>9 A. No, nobody saw them.</p> <p>10 Q. Did you ask to see them?</p> <p>11 A. Yes.</p> <p>12 Q. Who did you ask?</p> <p>13 A. I asked to see them at that meeting that took</p> <p>14 place on January 3rd or 4th.</p> <p>15 Q. And what were you have told?</p> <p>16 A. That they were not permitted to see them.</p> <p>17 Q. What do you mean?</p> <p>18 A. I do not know. They were not permitted to see</p> <p>19 them. By who, for who, whatever the case may be, I</p> <p>20 assumed that it was her parents. I do not know, but no</p> <p>21 one was permitted to see the contents of the messages.</p> <p>22 Q. Did anybody ever tell you, Mr. Clymer or Mr.</p> <p>23 Hollenbach or anybody else, that Emily Mayer was</p> <p>24 deleting the texts as she got them?</p>
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<p>1 captain of the team because of conduct on and off the</p> <p>2 court at that time.</p> <p>3 Q. Which was what, what conduct?</p> <p>4 A. Mistreating teammates. We had like a policy</p> <p>5 for our own team, you know, what I expected of them on</p> <p>6 and off the court, staying out of trouble.</p> <p>7 Q. And what did she do?</p> <p>8 A. Just bad-mouthing friends, teammates, just not</p> <p>9 what would be expected of the captain of a basketball</p> <p>10 team.</p> <p>11 Q. Bad-mouthing them to who?</p> <p>12 A. To her own friends who were not teammates or</p> <p>13 were not a part of the team.</p> <p>14 Q. How did you find out about that?</p> <p>15 A. I was told by players on our team, which I</p> <p>16 confronted her about.</p> <p>17 Q. Was Chelsea a captain of the team, also?</p> <p>18 A. Yes.</p> <p>19 Q. Was she demoted?</p> <p>20 A. Yes.</p> <p>21 Q. For what?</p> <p>22 A. Because her and Emily at that time were having</p> <p>23 issues, and I sat both of the them aside as well as one</p> <p>24 other player on the team and told them, "Until you guys</p>	<p>1 A. I asked them at that meeting. I said, "Do you</p> <p>2 have her phone?" And they said, "We can get her phone,</p> <p>3 but she does not have the messages on the phone."</p> <p>4 I said "Why is that?" And they said "We don't</p> <p>5 know." And I asked them, "As a parent, if your</p> <p>6 daughter came up to you and made these allegations and</p> <p>7 your only response was to have her back on the team,</p> <p>8 what message does that send?"</p> <p>9 Q. Well, you didn't hear that from the Smiths,</p> <p>10 did you, that all she wanted was to get back on the</p> <p>11 team? You never talked to the Smiths directly, did</p> <p>12 you?</p> <p>13 A. It was clearly obvious: When she was put back</p> <p>14 on the team, she sat right next to me and my wife</p> <p>15 within a week of the meeting.</p> <p>16 Q. You were still coaching?</p> <p>17 A. No. On my own, as it said there in the paper,</p> <p>18 I stepped aside.</p> <p>19 Q. Did you ever make any effort yourself to</p> <p>20 demand or obtain the actual content of the emails that</p> <p>21 you sent to Emily Mayer?</p> <p>22 A. I didn't even know that was possible at the</p> <p>23 time.</p> <p>24 Q. So, the answer is no, you did not.</p>

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<p>1 A. No.</p> <p>2 Q. Did Ryan Clymer or Russ Hollenbach ever tell</p> <p>3 you in this meeting on January 3rd or 4th that they</p> <p>4 were obligated, either by law or morally or in some</p> <p>5 fashion, to report this allegation that was made by</p> <p>6 Emily Mayer to state agencies or to local</p> <p>7 law-enforcement officials?</p> <p>8 A. No.</p> <p>9 Q. Did that topic ever come up at all during your</p> <p>10 conversations with Mr. Clymer or Mr. Hollenbach?</p> <p>11 A. No, because they all believed that there was</p> <p>12 no reason for it.</p> <p>13 Q. Did Mr. Clymer or Mr. Hollenbach ever tell you</p> <p>14 that they actually received from Mr. or Mrs. Smith or</p> <p>15 Emily Mayer a document that was prepared by her that</p> <p>16 was actually listing her recollection of the content of</p> <p>17 what she thought were sexually inappropriate texts?</p> <p>18 A. Not that I recall, no.</p> <p>19 Q. They didn't show you any document?</p> <p>20 A. No.</p> <p>21 Q. Would it be correct to say that it was not</p> <p>22 your intention at that meeting to voluntarily resign</p> <p>23 your position as coach?</p> <p>24 A. I would say that I did not expect to be in</p>	<p>1 A. Right away.</p> <p>2 Q. Right away after the Christmas break?</p> <p>3 A. Right after the meeting.</p> <p>4 Q. After the meeting?</p> <p>5 A. Right.</p> <p>6 Q. And Chelsea was still on the team, right?</p> <p>7 A. Yes.</p> <p>8 Q. Did Chelsea ever have a conversation with</p> <p>9 Emily Mayer regarding the accusations that she made</p> <p>10 about you?</p> <p>11 A. Not that I recall. Chelsea never mentioned</p> <p>12 anything about it.</p> <p>13 Q. Do you know whether or not the -- who took</p> <p>14 over for you as coach?</p> <p>15 A. Dave Forker.</p> <p>16 Q. Dave Forker.</p> <p>17 A. Yes.</p> <p>18 Q. And the assistant coaches were still Robin</p> <p>19 Landis and Marc Hoover?</p> <p>20 A. I believe so, but I know there were others,</p> <p>21 too. I don't know what capacity they had. I don't</p> <p>22 recall.</p> <p>23 Q. Do you know if those coaches ever did anything</p> <p>24 to get Chelsea and Emily to bury the hatchet and be</p>
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<p>1 that position, and as a result of the meeting and</p> <p>2 whatnot, as well as the physical problems I was having</p> <p>3 the previous weeks, there was just no way, even if I</p> <p>4 was allowed to, that I could have.</p> <p>5 Q. Did you coach at all after the Christmas</p> <p>6 break?</p> <p>7 A. No.</p> <p>8 Q. You went to the games, though, correct?</p> <p>9 A. Yes.</p> <p>10 Q. Was there any discussion between you and Mr.</p> <p>11 Clymer and Mr. Hollenbach that perhaps you should stay</p> <p>12 off the campus as well as step down as coach of the</p> <p>13 girls basketball team?</p> <p>14 A. No.</p> <p>15 Q. Were you allowed on campus to go to your</p> <p>16 daughter's basketball games until the end of the</p> <p>17 season?</p> <p>18 A. Yes.</p> <p>19 Q. And you did that?</p> <p>20 A. Yes.</p> <p>21 Q. And did Emily Mayer rejoin the team</p> <p>22 eventually?</p> <p>23 A. Yes.</p> <p>24 Q. When was that?</p>	<p>1 able to co-exist on the same basketball team?</p> <p>2 A. I don't recall, no.</p> <p>3 Q. Do you recall if they ever asked Chelsea and</p> <p>4 Emily Mayer to like go into a room together by</p> <p>5 themselves and try to work things out together?</p> <p>6 A. The only thing I recall them mentioning was</p> <p>7 that they were asked to co-exist for rest of the</p> <p>8 season. That was by coaches, not administrators.</p> <p>9 Q. Around that same period of time were you</p> <p>10 undergoing any marital counseling of any type?</p> <p>11 A. No.</p> <p>12 Q. Any discussions with your pastor or anything</p> <p>13 like that about any problems within the marriage?</p> <p>14 A. No problems within the marriage. There were</p> <p>15 meetings with our pastor in relation to the school, on</p> <p>16 how things were handled and my thoughts and attitudes</p> <p>17 towards it.</p> <p>18 I went and told my pastor that I wanted</p> <p>19 nothing to do with the school, wanted nothing to do</p> <p>20 with the church, and any meetings I had were not</p> <p>21 related to my marriage. It was related to how</p> <p>22 everything was handled.</p> <p>23 Q. Did either Clymer or Hollenbach ever tell you</p> <p>24 that they wanted you to undergo some type of</p>

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<p>1 counseling, religious counseling or whatever, marital</p> <p>2 counseling, as a result of the information they got</p> <p>3 during the Emily Mayer investigation?</p> <p>4 A. No.</p> <p>5 Q. Did you ever have any discussion about the</p> <p>6 Emily Mayer allegations and accusations with any of the</p> <p>7 board members at FCA?</p> <p>8 A. No. I didn't even know who they were.</p> <p>9 Q. Other than the situation with your sister,</p> <p>10 when she was a victim of sexual misconduct or criminal</p> <p>11 activity when she was a student at FCA, are you aware</p> <p>12 of any other instance of suspected sexual abuse or</p> <p>13 exploitation of students at FCA over your many years</p> <p>14 there, either as a student or as a coach?</p> <p>15 A. No.</p> <p>16 Q. Never once an allegation, a suspicion, a</p> <p>17 complaint by a parent, nothing like that?</p> <p>18 A. Not that I'm aware of.</p> <p>19 THE WITNESS: Can I take a restroom</p> <p>20 break.</p> <p>21 MR. GROTH: Sure.</p> <p>22 (A brief recess was taken)</p> <p>23 MR. GROTH: Let's go back on the</p> <p>24 record.</p>	<p>1 Q. Did you lie to them about anything else?</p> <p>2 A. No, and I did not lie to them. It was one of</p> <p>3 the weekends that I left my phone there. I recovered</p> <p>4 it the next day at church.</p> <p>5 Q. And you actually accused somebody of taking</p> <p>6 your phone and using it to do all these many texts to</p> <p>7 Emily Mayer over that time, correct?</p> <p>8 A. No. I told them that the girls would use my</p> <p>9 phone for different things. I mean, those are the ones</p> <p>10 who program different things in my phone, so on and so</p> <p>11 forth.</p> <p>12 I didn't say they were texting specific</p> <p>13 people, but that there were others that used my phone</p> <p>14 on bus trips and so on and so forth.</p> <p>15 Q. You're talking about players used your phone.</p> <p>16 A. Yes.</p> <p>17 Q. I thought you meant your family members or</p> <p>18 something used your phone.</p> <p>19 A. No.</p> <p>20 Q. Did you ever apologize to Ryan Clymer or Russ</p> <p>21 Hollenbach about lying to them during the</p> <p>22 investigation?</p> <p>23 A. I did not lie to them because I thought that</p> <p>24 was the weekend that was, you know, when I left the</p>
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<p>1 BY MR. GROTH:</p> <p>2 Q. Getting back to the Emily Mayer situation at</p> <p>3 FCA, during the investigation of her allegations and</p> <p>4 accusations against you, did you ever lie to Ryan</p> <p>5 Clymer or Russ Hollenbach about anything?</p> <p>6 A. I told them there was -- they asked me about a</p> <p>7 specific weekend, about having my phone or not having</p> <p>8 my phone, and I told them that I believed at that time</p> <p>9 I did not have my phone that weekend.</p> <p>10 As it ended up, it wasn't that exact weekend,</p> <p>11 but -- and it wasn't until a couple years later when I</p> <p>12 asked Mr. Hollenbach what was so important about that</p> <p>13 weekend that he told me that that is the weekend that</p> <p>14 she alleged that these supposed text messages came to</p> <p>15 her, and I did not know.</p> <p>16 Q. And that was in December of 2009, towards the</p> <p>17 end.</p> <p>18 A. When she claimed that that was --</p> <p>19 Q. The text messages that she was complaining</p> <p>20 about.</p> <p>21 A. Yes.</p> <p>22 Q. Not the end, but sometime in December as</p> <p>23 opposed to September.</p> <p>24 A. Sometime in December, yes.</p>	<p>1 phone. And it ended up that it was not, because an</p> <p>2 assistant coach of mine stated that she believed that</p> <p>3 weekend or saw that weekend that I had my phone.</p> <p>4 Q. That incident notwithstanding, did you lie to</p> <p>5 them about anything else?</p> <p>6 A. No.</p> <p>7 Q. Did you apologize to them for actually lying</p> <p>8 about something? You said this thing about the phone</p> <p>9 was a misunderstanding on your part, with the dates and</p> <p>10 whatever.</p> <p>11 A. Yes.</p> <p>12 Q. But did you ever apologize to them and tell</p> <p>13 them "I'm sorry I lied to you about some of this</p> <p>14 stuff"?</p> <p>15 A. Not that I recall.</p> <p>16 Q. Did Ryan Clymer tell you who the first person</p> <p>17 was who reported the accusations about Emily Mayer to</p> <p>18 him?</p> <p>19 A. No.</p> <p>20 Q. Did you ask?</p> <p>21 A. No. I figured it was her.</p> <p>22 Q. You assumed it was her, you speculated that it</p> <p>23 was her, but you didn't know for sure?</p> <p>24 A. No, not for sure.</p>

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<p>1 Q. Were you ever told that there was another</p> <p>2 individual, a mother of one of Emily Mayer's friends,</p> <p>3 that actually took Emily Mayer in to see Ryan Clymer</p> <p>4 and forced her to tell him about what she was getting</p> <p>5 from you in texts?</p> <p>6 A. No. The paperwork that I received with that</p> <p>7 email here in the mail, that's the first time I knew</p> <p>8 that those people were mentioned in the investigation.</p> <p>9 Q. What people are you referring to?</p> <p>10 A. The Alderfers.</p> <p>11 Q. Do you know Sharon Alderfer?</p> <p>12 A. I know of her, yes.</p> <p>13 Q. Did you know her at the time?</p> <p>14 A. Just by name, not personally.</p> <p>15 Q. Did you know her daughter?</p> <p>16 A. No.</p> <p>17 Q. She wasn't a basketball player?</p> <p>18 A. No.</p> <p>19 Q. Do you know her name?</p> <p>20 A. From the paperwork, yes: Allison.</p> <p>21 Q. Okay. But Mr. Clymer never told you that?</p> <p>22 A. No.</p> <p>23 Q. To this date you maintain that none of the</p> <p>24 texts that you sent to Emily Mayer were inappropriate</p>	<p>1 right?</p> <p>2 A. Yes.</p> <p>3 Q. And they saw all of the inappropriate texts,</p> <p>4 correct?</p> <p>5 A. Yes.</p> <p>6 Q. The same type of texts that Emily Mayer was</p> <p>7 supposedly accusing you of sending to her, correct?</p> <p>8 A. I still don't know what Emily Mayer said --</p> <p>9 what I said to her or what she is alleging I said to</p> <p>10 her.</p> <p>11 Q. Mr. Clymer or Mr. Hollenbach never told you</p> <p>12 what Emily Mayer said you texted to her?</p> <p>13 A. Not specifically.</p> <p>14 Q. But you asked to see them, right?</p> <p>15 A. Yes.</p> <p>16 Q. And you wanted to know, right?</p> <p>17 A. Yes.</p> <p>18 Q. You wanted to see the texts.</p> <p>19 A. Yes.</p> <p>20 Q. And if you couldn't see the texts, at least</p> <p>21 you should be told what she said was in the texts,</p> <p>22 right?</p> <p>23 A. Yes, but I was --</p> <p>24 MR. SANTARONE: Objection to the</p>
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<p>1 in terms of sexual content?</p> <p>2 A. Yes.</p> <p>3 Q. So, if we were to subpoena and able to</p> <p>4 subpoena those text messages as part of this</p> <p>5 litigation, you would have nothing to worry about in</p> <p>6 terms of seeing the content, correct?</p> <p>7 A. I would like to see them.</p> <p>8 Q. You would have nothing to worry about in terms</p> <p>9 of seeing the content, right?</p> <p>10 A. No. I believe they tried to do that in the</p> <p>11 criminal investigation.</p> <p>12 Q. Why do you believe that?</p> <p>13 A. Because I --</p> <p>14 Q. Oh, you're talking about in the criminal</p> <p>15 investigation with Elizabeth Nace.</p> <p>16 A. Yes.</p> <p>17 Q. Okay.</p> <p>18 A. Because they all investigated as well during</p> <p>19 the criminal case.</p> <p>20 Q. Do you know whether or not they tried to get</p> <p>21 those records?</p> <p>22 A. I don't know for sure, but I believe so from</p> <p>23 what my attorney told me.</p> <p>24 Q. You know they got Elizabeth Nace's records,</p>	<p>1 question. You're asking him about what other</p> <p>2 people should know or not know.</p> <p>3 MR. GROTH: I'm not asking him that at</p> <p>4 all, but the objection is noted.</p> <p>5 BY MR. GROTH:</p> <p>6 Q. You weren't able to see the texts themselves,</p> <p>7 right?</p> <p>8 A. No.</p> <p>9 MR. SANTARONE: Objection to the form</p> <p>10 of the question. That assumes they existed.</p> <p>11 MR. GROTH: I didn't assume anything.</p> <p>12 BY MR. GROTH:</p> <p>13 Q. You weren't able to see the texts themselves,</p> <p>14 correct?</p> <p>15 A. The content, no.</p> <p>16 Q. Yes. And you were never told exactly what the</p> <p>17 content was by Mr. Clymer or Mr. Hollenbach that Emily</p> <p>18 Mayer was complaining about.</p> <p>19 A. No, just that -- the only thing they showed me</p> <p>20 was the quantity on those two pages at that time.</p> <p>21 Q. So, for you this investigation was all about</p> <p>22 quantity of texts and nothing else.</p> <p>23 A. Yes.</p> <p>24 Q. That was your understanding --</p>

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<p>1 A. Quantity?</p> <p>2 Q. Quantity.</p> <p>3 A. No, content.</p> <p>4 Q. Content was the issue, not the quantity.</p> <p>5 A. Yes.</p> <p>6 Q. Did you have any conversation with Mr. Clymer</p> <p>7 or Mr. Hollenbach regarding what they considered to be,</p> <p>8 if they considered it to be, an excessive quantity of</p> <p>9 texts to her over a period of time?</p> <p>10 A. Yes, that is when they said that they thought</p> <p>11 that it was excessive, and that is when Mr. Hollenbach</p> <p>12 told me that he should have said something or put</p> <p>13 something there about texting and whatnot, because like</p> <p>14 he said to me, this is how kids communicate.</p> <p>15 Every place I've ever coached at in all three</p> <p>16 institutions, the players text all their coaches.</p> <p>17 Q. So, was it your belief that Mr. Hollenbach</p> <p>18 should have put something in writing regarding the</p> <p>19 quantity of texts that a coach is able to send to a</p> <p>20 player?</p> <p>21 A. No, because it was brand-new at the time.</p> <p>22 This is not something that has gone on in the previous</p> <p>23 ten years. This is something that just happened. It</p> <p>24 was new to the school.</p>	<p>1 excessive texting?</p> <p>2 A. What was determined as a solution to that</p> <p>3 problem was, they wanted me to step down because of the</p> <p>4 allegations that were made and that her parents wanted</p> <p>5 her back on the team.</p> <p>6 I refused to step aside for any reason other.....</p> <p>7 than health reasons, which were legitimate at that</p> <p>8 time, and it was also offered me from Mr. Hollenbach to</p> <p>9 come back the next season. Nothing set in stone, no</p> <p>10 contract, nothing like that, but it was presented in</p> <p>11 that meeting as a possibility.</p> <p>12 Q. I think that partially answers my question,</p> <p>13 but I think my question was a little bit more direct:</p> <p>14 Did Mr. Clymer or Mr. Hollenbach tell you that they</p> <p>15 were allowing you to resign for health reasons, but at</p> <p>16 the same time telling you that you were being dismissed</p> <p>17 or terminated or let go for the excessive texting?</p> <p>18 A. We discussed at the meeting as far as how the</p> <p>19 resignation would go, what it would look like, so on</p> <p>20 and so forth. I refused to put anything other than</p> <p>21 health reasons because that was the truth.</p> <p>22 Q. Did they tell you if you didn't resign,</p> <p>23 whether for health reasons or any other reason, that</p> <p>24 you would be terminated?</p>
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<p>1 My case represented to them something that</p> <p>2 needed to take place for the future. It's not</p> <p>3 something that was very well known for the years</p> <p>4 previous.</p> <p>5 Q. Was there a number or a ballpark number of</p> <p>6 texts that a coach could send a student back in 2009</p> <p>7 that you would have personally considered to be</p> <p>8 inappropriate or excessive?</p> <p>9 A. No. It was all new at the time.</p> <p>10 Q. So, whether you sent 50 or 500 or 5,000, it's</p> <p>11 all the same.</p> <p>12 A. At that time, yes.</p> <p>13 Q. To you. That was your opinion.</p> <p>14 A. At that time.</p> <p>15 Q. What about now? Do you change your opinion?</p> <p>16 A. Yes.</p> <p>17 Q. What's your opinion now?</p> <p>18 A. That the contact through texts should be</p> <p>19 minimal to none.</p> <p>20 Q. We touched on this a little bit, but did Ryan</p> <p>21 Clymer or Russell Hollenbach tell you at your meeting</p> <p>22 in January 3rd or 4th that they were going to allow you</p> <p>23 to resign for health reasons, but that you were</p> <p>24 actually being let go or terminated due to the</p>	<p>1 A. The only thing I was told is that for the rest</p> <p>2 of that calendar year, for the rest of that season,</p> <p>3 which was maybe a month, that I could not coach at that</p> <p>4 time. That's what I was told.</p> <p>5 Q. And again, I'm not sure that answers my</p> <p>6 question. My question is, did they tell that if you</p> <p>7 didn't resign, that you would be terminated?</p> <p>8 A. I don't know --</p> <p>9 Q. For that season, for that contract year.</p> <p>10 A. I don't recall being terminated. I do recall</p> <p>11 them saying that coming back that season was not an</p> <p>12 option.</p> <p>13 Q. Well, did you ever discuss the term and</p> <p>14 suspension?</p> <p>15 A. Yes, that was a part of the whole coming back</p> <p>16 the following season. I believe it was put as a</p> <p>17 temporary suspension or a stepping aside for a short</p> <p>18 period of time.</p> <p>19 Q. None of that was ever put in writing.</p> <p>20 A. Nothing was put in writing except for the</p> <p>21 termination -- or the resignation letter that you have.</p> <p>22 Q. Did they make any promise to you that if you</p> <p>23 did resign for health reasons, that you would be</p> <p>24 allowed to re-apply for the job the following season?</p>

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<p>1 A. No, because I was not interested. I had no</p> <p>2 interest in coming back.</p> <p>3 Q. That wasn't my question. Listen to the</p> <p>4 question: Did they tell you that if you resigned for</p> <p>5 the rest of that season, that you could re-apply for</p> <p>6 the following season if you wanted to?</p> <p>7 A. Yes, Mr. Hollenbach did.</p> <p>8 Q. But even at that point, on January 3rd or 4th,</p> <p>9 you knew you didn't want to come back, correct?</p> <p>10 A. Yes.</p> <p>11 Q. Did you ever hear from Mr. Hollenbach or Mr.</p> <p>12 Clymer that they were consulting with an attorney named</p> <p>13 Jeff Drake regarding the Emily Mayer investigation</p> <p>14 incident?</p> <p>15 A. I know they contacted or they spoke with their</p> <p>16 attorney, but I did not know who their attorney was at</p> <p>17 that time.</p> <p>18 Q. That name doesn't ring any bells for you?</p> <p>19 A. No, only through this matter.</p> <p>20 Q. You were interviewed by the Bucks County</p> <p>21 detectives as part of the investigation of the</p> <p>22 Elizabeth Nace criminal investigation, correct?</p> <p>23 A. Yes.</p> <p>24 Q. And you voluntarily gave them information and</p>	<p>1 Q. You did send inappropriate sexual texts and</p> <p>2 videos and photographs to Elizabeth Nace, correct?</p> <p>3 A. Yes.</p> <p>4 Q. Did you tell the Bucks County detectives that</p> <p>5 any of the text messages you sent to Emily Mayer were</p> <p>6 inappropriate?</p> <p>7 A. No.</p> <p>8 Q. In what month did you start texting with Emily</p> <p>9 Mayer?</p> <p>10 A. I don't recall. It was six years ago.</p> <p>11 Q. Well, everything went south in December, the</p> <p>12 end of December 2009. Was it that fall, sometime that</p> <p>13 fall: September, October, November?</p> <p>14 MR. SANTARONE: Objection to the</p> <p>15 characterization of "went south."</p> <p>16 MR. GROTH: You can answer.</p> <p>17 THE WITNESS: Can I still answer the</p> <p>18 question?</p> <p>19 MR. KEMETHER: If you're able to do so.</p> <p>20 If you understand the question and you're able to</p> <p>21 answer it, you're allowed to answer it.</p> <p>22 THE WITNESS: You're asking when the</p> <p>23 text messages started?</p> <p>24 MR. GROTH: Yes, I am.</p>
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<p>1 made statements to them about your history with</p> <p>2 Elizabeth Nace, as well as things that had occurred</p> <p>3 prior to the Elizabeth Nace's situation as far back as</p> <p>4 when you were at FCA or Quakertown, correct?</p> <p>5 A. They asked me about my Pennridge situation.</p> <p>6 They asked me if I ever had any other allegations made</p> <p>7 against me and I told them about the situation at FCA</p> <p>8 with Emily Mayer, that nothing came of that and nothing</p> <p>9 was true, which is what brought them to Faith Christian</p> <p>10 Academy. I told them the truth from day one.</p> <p>11 Q. Did you ever tell the detectives that were</p> <p>12 investigating -- and I think their names were Kemmerer</p> <p>13 and Slattery.</p> <p>14 A. Yes.</p> <p>15 Q. (Continuing) -- did you ever tell them that</p> <p>16 you actually had sent inappropriate sexual texts or</p> <p>17 messages to other girls but never had any physical</p> <p>18 contact with any other girls other than Elizabeth Nace?</p> <p>19 A. No.</p> <p>20 Q. Did you tell them that you had ever sent any</p> <p>21 photos or videos of an inappropriate sexual nature to</p> <p>22 other female students, but not had any physical contact</p> <p>23 with them?</p> <p>24 A. No.</p>	<p>1 THE WITNESS: Sometime after the school</p> <p>2 year started, either September or October of 2009,</p> <p>3 I believe.</p> <p>4 BY MR. GROTH:</p> <p>5 Q. Did you ever physically touch Emily Mayer in</p> <p>6 any way?</p> <p>7 A. Never.</p> <p>8 Q. Did you ever touch her butt in any way?</p> <p>9 A. Never.</p> <p>10 Q. Did you ever tell Emily Mayer that you used to</p> <p>11 do sexual things, have sexual contact with Lauren Fretz</p> <p>12 and that nobody ever found out about it?</p> <p>13 A. Never.</p> <p>14 Q. I'm going to show you some documents that we</p> <p>15 got from FCA's counsel, Carla Connor, and review some</p> <p>16 of these documents with you. I've broken the set of</p> <p>17 documents into certain subsections, and we'll just go</p> <p>18 through them briefly.</p> <p>19 (Exhibit Romig-3 was marked for</p> <p>20 identification)</p> <p>21 BY MR. GROTH:</p> <p>22 I've marked as Romig Exhibit 3 Ms. Connor's</p> <p>23 cover letter to me dated April 28, 2015, indicating she</p> <p>24 was forwarding her supplemental initial disclosures as</p>

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<p>1 attachments to her letter.</p> <p>2 Also, she sent the supplemental initial</p> <p>3 disclosures, under Rule 26A1A, of Faith Christian</p> <p>4 Academy, Ryan Clymer and Ross Hollenbach, in which she</p> <p>5 names some supplemental witnesses and lists the</p> <p>6 documents that we're about to go over....</p> <p>7 You were sent a copy of this. Your name is</p> <p>8 copied on it. Do you recall seeing that?</p> <p>9 A. I never received this, no.</p> <p>10 Q. That list that you're looking at right there,</p> <p>11 on the third page, is a list of documents that she</p> <p>12 provided from FCA's personnel files and other files</p> <p>13 regarding your situation. Okay?</p> <p>14 A. Okay.</p> <p>15 Q. We'll go over some of them. I don't expect</p> <p>16 you to know them just from a description on a page.</p> <p>17 The first set of documents that I grouped are</p> <p>18 the employment records: The application for</p> <p>19 employment, withholding form, W4 Form, employee record,</p> <p>20 written contracts that you signed with Faith Christian</p> <p>21 Academy, criminal record check, and two letters that</p> <p>22 were sent from Daniel Schmidt on behalf of the FCA</p> <p>23 school board to the, I guess, parents of students at</p> <p>24 FCA as a result of the Elizabeth Nace situation with</p>	<p>1 know if he went to those meetings?</p> <p>2 A. No, I believe Paul Koehler did.</p> <p>3 Q. What about Mr. Hollenbach? Do you know if Mr.</p> <p>4 Hollenbach went to those meetings?</p> <p>5 MR. KEMETHER: Just give us the time</p> <p>6frame you're talking about....</p> <p>7 MR. GROTH: When he was at FCA, while</p> <p>8 Hollenbach was at FCA.</p> <p>9 THE WITNESS: Has he ever been to a</p> <p>10 meeting?</p> <p>11 MR. GROTH: Yes.</p> <p>12 BY MR. GROTH:</p> <p>13 Q. Did you ever go to a meeting with him?</p> <p>14 A. I never went with him, but I know he's</p> <p>15 attended meetings.</p> <p>16 Q. There is an administrator who signed in as</p> <p>17 well. Is that Ryan Clymer's signature?</p> <p>18 A. Yes, sir.</p> <p>19 Q. I'm showing you another document in the same</p> <p>20 exhibit, from exhibit four, a letter, typed letter,</p> <p>21 dated January 5th, 2010 to Ryan Clymer and Russ</p> <p>22 Hollenbach from you regarding your resignation as high</p> <p>23 school girls basketball coach due to health concerns,</p> <p>24 effective immediately.</p>
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<p>1 you. One is dated October 10th, 2013; the other is</p> <p>2 dated January 31, 2014.</p> <p>3 MR. GROTH: Off the record for a</p> <p>4 second.</p> <p>5 (There was a discussion held off the</p> <p>6 record)</p> <p>7 MR. GROTH: We're back on the record.</p> <p>8 BY MR. GROTH:</p> <p>9 Q. In a contract document that you signed for the</p> <p>10 2009/2010 school year at Faith Christian -- and I take</p> <p>11 it that's your signature on this document?</p> <p>12 A. Yes.</p> <p>13 Q. (Continuing) -- there's a requirement that you</p> <p>14 attend the PIAA rules interpretation meeting every year</p> <p>15 or face a \$100 fine from the PIAA. Did you do that?</p> <p>16 A. Yes.</p> <p>17 Q. Who would attend these meetings, coaches?</p> <p>18 A. From all the schools?</p> <p>19 Q. Yes.</p> <p>20 A. Either coaches or athletic directors. It had</p> <p>21 to be a representative from the school.</p> <p>22 Q. Would Mr. Babb attend those meetings as well?</p> <p>23 A. I have no idea.</p> <p>24 Q. When you went to work for Pennridge, do you</p>	<p>1 Is that the letter you sent to Mr. Clymer and</p> <p>2 Mr. Hollenbach?</p> <p>3 A. Yes, sir.</p> <p>4 Q. When you met with them on January 3rd or 4th,</p> <p>5 was the wording of this letter actually discussed: If</p> <p>6 you were going to resign, what you would put in the</p> <p>7 letter of resignation?</p> <p>8 A. I don't recall the exact details of that other</p> <p>9 than the fact that I told them I will not put in a</p> <p>10 letter of resignation with anything other than health</p> <p>11 issues.</p> <p>12 Q. You didn't want to admit to any wrongdoing</p> <p>13 or --</p> <p>14 A. Because there was none.</p> <p>15 Q. There is a letter dated October 10th, 2013</p> <p>16 from a Dan Schmidt, school board chairman. Do you know</p> <p>17 Mr. Schmidt at all?</p> <p>18 A. I know the name.</p> <p>19 Q. Did you ever meet him?</p> <p>20 A. I don't believe so.</p> <p>21 Q. Do you know if he was involved in any</p> <p>22 investigation of the Emily Mayer situation?</p> <p>23 A. I don't know.</p> <p>24 Q. When the Emily Mayer situation arose and you</p>

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<p>1 were talking to Mr. Clymer and Mr. Hollenbach, did you 2 ever threaten to go to the police to bring some kind of 3 criminal charge against the Smiths or Emily Mayer? 4 A. No. I mentioned a lawsuit, a civil suit, 5 against the school. 6 Q. Against the school.... 7 A. Yes. 8 Q. What was the lawsuit against the school going 9 to be based on? 10 A. Just for the whole -- the way the whole thing 11 was handled, because I didn't see any reason why I 12 would have to step aside for the rest of the year, 13 which we discussed. 14 Q. Did you ever see this letter, which again 15 doesn't have a date on it but from Ms. Connor's 16 description I think is dated January 31st, 2014? That 17 was after you pled guilty to a number of felony charges 18 against Elizabeth Nace. 19 A. No, I did not. 20 Q. Did you ever see this letter? And you can 21 take an opportunity to read through that, if you would, 22 and I'll ask you first if you ever saw it and then I'm 23 going to ask you about some of the contents in it. 24 (Pause)</p>	<p>1 Q. It goes on to say, "Regardless of the content, 2 FCA believed the amount of text-message communication 3 between a student and school employee to be 4 inappropriate, and concluded that FCA's association 5 with Mr. Romig could no longer continue." These are 6 Mr. Schmidt's words, not mine, obviously. 7 Now, from this, the way I look at this may be 8 different from the way you read it, but it sounds to 9 me, when they say that FCA concluded that FCA's 10 association with Mr. Romig could no longer continue, 11 that it was FCA's decision that it was no longer going 12 to continue, not your decision. Is that what happened? 13 A. For the rest of that season, yes. 14 Q. It was FCA's decision? 15 A. I could not coach the rest of that season, 16 yes. 17 Q. The doesn't say here for the rest of that 18 season, does it? 19 A. No. 20 Q. I didn't read that incorrectly. 21 A. No. 22 (Exhibit Romig-5 was marked for 23 identification) 24</p>
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<p>1 A. I've never seen that before today. 2 Q. Among other things, it says in this letter 3 that "Prior to Mr. Romig's resignation from FCA on 4 January 5, 2010, it was reported that FCA had a student 5 on the girls varsity basketball team that received text 6 messages from Mr. Romig, some of which he believed to 7 be inappropriate." 8 It says also, and I'm quoting, "Unfortunately, 9 FCA was unable to review the content of any of the text 10 messages between Mr. Romig and the student since all 11 the messages had been previously deleted." 12 It also says, "Further, FCA was not able to 13 retrieve copies of the actual text messages from the 14 phone company." 15 My question to you is, did Ryan Clymer or Mr. 16 Hollenbach ever tell you any of any effort they made to 17 try to get the actual text messages, with their 18 contents, from the phone company? 19 A. No. 20 Q. Did Ryan Clymer or Mr. Hollenbach ever tell 21 you that they even considered contacting the local 22 police department or the district attorney in order to 23 get a subpoena to get those records? 24 A. No.</p>	<p>1 BY MR. GROTH: 2 Q. I have another group of documents which I've 3 marked Romig Exhibit 5. It consists of a -- 4 MR. GROTH: Just so counsel are not 5 confused, I was sent a copy of the documents off 6 the disk that Ms. Connor provided by my office. 7 And the secretary's name is Linda McGuire, whose 8 name appears at the top, in case people were 9 wondering who that is. 10 MS. CONNOR: That is how they printed 11 out. 12 BY MR. GROTH: 13 Q. It is an email from Kevin Smith to Ryan Clymer 14 dated December 23rd, 2009, at 9:30. 15 Attached as part of the emails are logs of 16 text messages that you sent to Emily Mayer and that she 17 sent back to you for the period of September, October 18 and November of 2009. 19 MR. GROTH: Can we go off the record 20 again, please? 21 (There was a discussion held off the 22 record) 23 MR. GROTH: We're back on the report. 24</p>

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<p>1 BY MR. GROTH:</p> <p>2 Q. Mr. Smith's email on Romig Exhibit 5 says that</p> <p>3 these sheets contain the texts between you and Emily</p> <p>4 Mayer for September, October and November received from</p> <p>5 267-218-5232. That's your phone, right?</p> <p>6 A. Yes.</p> <p>7 Q. And it shows for those months a total of 1,077</p> <p>8 emails for three months.</p> <p>9 A. How many --</p> <p>10 MR. GROTH: Off the record.</p> <p>11 (There was a discussion held off the</p> <p>12 record)</p> <p>13 MR. GROTH: We're back on the record.</p> <p>14 BY MR. GROTH:</p> <p>15 Q. To correct myself, it's 1,077 texts over this</p> <p>16 three-month period. And I have a couple of questions.</p> <p>17 I'm going to let you take a look at this.</p> <p>18 It also says he will get the details of</p> <p>19 December 2009 texts sometime around January 4th, but</p> <p>20 this is a document that he sent to Ryan Clymer on</p> <p>21 December 23rd, 2009.</p> <p>22 A. What's "domestic text" mean?</p> <p>23 Q. I can't interpret the document for you.</p> <p>24 A. All right.</p>	<p>1 dispute that?</p> <p>2 A. Not that I know of, no.</p> <p>3 Q. And if you look at the times on these calls,</p> <p>4 almost any time of night or the day, they go from</p> <p>5 morning to night, to 11:00 at night, whatever, right?</p> <p>6 So, there was never any time of the day where</p> <p>7 you might not text her unless she was playing on the</p> <p>8 team or something at that time.</p> <p>9 A. At that time when she was playing on the team,</p> <p>10 she was on the basketball team.</p> <p>11 Q. Right, so you had wouldn't text her then.</p> <p>12 A. Right.</p> <p>13 Q. But any other times, in the morning or at</p> <p>14 night or whatever, you would text her whenever the urge</p> <p>15 struck you, correct?</p> <p>16 A. I wouldn't say when the urge struck me. It's</p> <p>17 when. . .</p> <p>18 Q. Well, we're talking about an average of</p> <p>19 300-plus emails a month for a three-month period.</p> <p>20 MR. SANTARONE: Objection to the form.</p> <p>21 Q. Which, if you break it down by day, it's at</p> <p>22 least ten a day. And if you miss a day, it's like</p> <p>23 twenty the next day.</p> <p>24 Is that what your recollection is of how many</p>
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<p>1 Q. You've never seen these documents before?</p> <p>2 A. No.</p> <p>3 Q. Mr. Clymer never showed them to you?</p> <p>4 A. Just what was on the screen there.</p> <p>5 Q. But he only showed you a page or two.</p> <p>6 A. Yes.</p> <p>7 Q. It was a page or two of the documents that had</p> <p>8 the date and day of the week and the date and time?</p> <p>9 A. No, it was probably that what was on the</p> <p>10 computer screen, but I never saw the. . .</p> <p>11 Q. When I asked you before how many times you</p> <p>12 texted Emily Mayer, I had think you said around fifty</p> <p>13 times, approximately, in December of 2009, and you</p> <p>14 weren't sure how many times in September, October and</p> <p>15 November.</p> <p>16 Do you recall that testimony?</p> <p>17 A. I recall saying approximately fifty times.</p> <p>18 Q. Having seen these logs and this email from Mr.</p> <p>19 Smith to Ryan Clymer, does that refresh your</p> <p>20 recollection about how many times you were texting</p> <p>21 Emily Mayer that fall?</p> <p>22 A. Yes.</p> <p>23 Q. And if he concludes it was, by counting, 1,077</p> <p>24 times in three months, would you have any basis to</p>	<p>1 times you were emailing her during that period of time?</p> <p>2 MR. KEMETHER: Objection.</p> <p>3 THE WITNESS: Yes.</p> <p>4 MS. SOMMER: Texts.</p> <p>5 MR. GROTH: Texts, thank you.</p> <p>6 MR. SANTARONE: For clarification, they</p> <p>7 just focused on from him or both?</p> <p>8 MR. GROTH: I think it's both.</p> <p>9 MS. SOMMER: I think it's both, too.</p> <p>10 MR. GROTH: The email that Mr. Smith</p> <p>11 sent said he's talking about text messages to her</p> <p>12 from him, 1,077.</p> <p>13 THE WITNESS: So, in that 1,077, that</p> <p>14 does not include hers to me?</p> <p>15 MR. GROTH: I don't believe so. That's</p> <p>16 not what it says.</p> <p>17 MS. CONNOR: I'm not sure. I think it's</p> <p>18 actually both.</p> <p>19 MR. GROTH: Let's go off the record.</p> <p>20 (There was a discussion held off the</p> <p>21 record)</p> <p>22 MR. GROTH: We're back on the record.</p> <p>23 BY MR. GROTH:</p> <p>24 Q. Did Mr. Clymer or Mr. Hollenbach ever tell you</p>

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<p>1 if they had received emails from Kevin Smith, Emily 2 Mayer's father, which basically gave them the quantity 3 of emails that Emily was talking about receiving from 4 you? 5 A. They told me that he sent them what I saw on 6 the screen, yes. 7 Q. Yes, but that was just two pages, right? 8 A. There may have been more. That's what I saw. 9 Q. Okay. 10 A. I mean, it was self-explanatory what they were 11 trying to say. 12 Q. Well, did they tell you that, by Mr. Smith's 13 count, we're talking about a thousand-plus emails for 14 those three months? 15 A. I don't recall the number, but it was too 16 many. 17 Q. And your testimony today is that all of those 18 texts and messages between you and Emily Mayer had 19 nothing to do with anything sexual. It was all her 20 personal issues and all of those things you were trying 21 to help her out with. 22 A. Yes. 23 Q. How many texts did you send to Elizabeth Nace 24 from the spring of 2013 until you were arrested on</p>	<p>1 (Exhibit Romig-6 was marked for 2 identification) 3 BY MR. GROTH: 4 Q. This is an email from Annette Smith to Ryan 5 Clymer dated December 31st, 2009, which I've marked as 6 Romig Exhibit 6. That email contains an attachment of 7 a document, a typed document, that Emily Mayer prepared 8 to try to record, as best she could, her recollection 9 of the texts from you that she found to be 10 inappropriate. 11 Let me show you this first to first find out 12 if you had seen the email itself or the attachment 13 purportedly prepared by Emily Mayer concerning what was 14 going on between the two of you. Take a minute to read 15 through that, both pages. 16 (Pause) 17 A. Okay. 18 Q. The first question is, have you ever seen 19 either of these two documents before? 20 A. No. 21 Q. This was sent to Ryan Clymer on December 31st, 22 2009 by an Ed Smith, so that would be a number of days 23 before he, Ryan Clymer, and Russ Hollenbach met with 24 you in person to discuss their investigation, correct?</p>
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<p>1 October 1st, 2013? 2 A. From the end of May until the end of 3 September? 4 Q. Yes. 5 A. Thousands. 6 Q. Thousands. 7 A. Yes. 8 Q. Were some of those sexually inappropriate? 9 A. Many. 10 Q. But not a single one to Emily Mayer was 11 inappropriate. 12 A. No. 13 Q. And the detectives let you know that they had 14 the cell phone and they had the text messages with 15 regard to Elizabeth Nace, so they knew what the content 16 was, right? 17 A. They never showed me or -- they said they 18 could get them. I didn't know that they had them at 19 the time. They asked me and I told them. 20 Q. So, there is no way you could deny that these 21 were inappropriate, correct? 22 A. I never denied anything related to the 23 Pennridge case from the beginning. 24</p>	<p>1 A. Yes. 2 Q. And even though they met with you in person to 3 tell you what they had done to investigate, including 4 interviewing assistant coaches, students, everyone that 5 you mentioned in your prior testimony that they talked 6 to in order to try to find out what was going on, 7 neither Mr. Clymer nor Mr. Hollenbach ever told you 8 that they had this email from Annette Smith and this 9 list of allegations and recollections of Emily Mayer? 10 A. No. 11 Q. Who is Ashley Makowski? 12 A. Another student at the school at that time. 13 Q. Was she a basketball player? 14 A. I believe she was for one year. 15 Q. How about this year, in 2009? 16 A. I don't recall if it was that year or not. 17 Q. Did you ever ask Robin Landis to talk to your 18 players about these allegations that Emily Mayer was 19 making against you? 20 A. I don't recall ever asking her that, no. 21 Q. Did anybody ever tell you that Robin had been 22 talking to the players on the team and questioning 23 whether they believed Emily? 24 A. I know she was talking with them. I don't</p>

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<p>1 know the exact details of that discussion or what.</p> <p>2 Q. How long have you known Robin Landis?</p> <p>3 A. Probably for thirty years.</p> <p>4 Q. Went to school with her?</p> <p>5 A. No, not that -- she's much older than me, so</p> <p>6 when I was in elementary school I don't know if she was</p> <p>7 in high school or not, but. . .</p> <p>8 Q. How did you know her for thirty years, then?</p> <p>9 A. Her brother was one of my good friends in high</p> <p>10 school. I know the family.</p> <p>11 Q. Did you ever see that family socially?</p> <p>12 A. Yes.</p> <p>13 Q. Picnics, outings, that type of thing?</p> <p>14 A. Yes.</p> <p>15 Q. So, she knows you very well, right?</p> <p>16 A. Yes.</p> <p>17 Q. Did you ever receive any information from</p> <p>18 anybody that Emily was challenging the girls on the</p> <p>19 team as to why they may have believed Emily Mayer's</p> <p>20 accusations and that she told them -- Robin Landis told</p> <p>21 the players that they don't know the character of the</p> <p>22 coach?</p> <p>23 A. No, I never heard that.</p> <p>24 Q. Now, in Emily Mayer's typed remarks about the</p>	<p>1 A. Yes, as a team.</p> <p>2 Q. In a bus?</p> <p>3 A. I believe we went in vans.</p> <p>4 Q. Did you go in her van?</p> <p>5 A. Whose?</p> <p>6 Q. The van that Emily Mayer was in. . . .</p> <p>7 A. I don't recall. I may have.</p> <p>8 Q. Did you sit next to her in the van?</p> <p>9 A. I don't recall.</p> <p>10 Q. In either direction?</p> <p>11 A. I know I was in the front seat in one of the</p> <p>12 directions, because I wasn't feeling good.</p> <p>13 Q. Emily Mayer says here, "He would tell me he</p> <p>14 could give me everything that I need and he has so much</p> <p>15 to offer me and wants to marry me."</p> <p>16 Did you ever tell her that?</p> <p>17 A. No.</p> <p>18 Q. Did you ever tell that to Elizabeth Nace?</p> <p>19 A. Yes.</p> <p>20 Q. Multiple occasions?</p> <p>21 A. Many.</p> <p>22 Q. Emily Mayer says, "And he wanted me to pick</p> <p>23 between him and Chase," meaning Chase Brunner, her</p> <p>24 boyfriend.</p>
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<p>1 recollection of the content of the emails and her</p> <p>2 discussion with you, it says, "Beginning in November</p> <p>3 he," meaning you, "started telling me how he and</p> <p>4 Lauren," meaning Lauren Fretz, "did sexual things and</p> <p>5 was hinting at me to be this way."</p> <p>6 Is she telling the truth?</p> <p>7 A. No.</p> <p>8 Q. She says "On December 5th of 2009, either</p> <p>9 going to or coming back from the DeSales game, he,"</p> <p>10 meaning you, "texted her and said 'I want to be in</p> <p>11 you.'"</p> <p>12 Did that happen?</p> <p>13 A. I never texted her that. We never went to a</p> <p>14 DeSales game. It was a Drexel game.</p> <p>15 Q. Did you play DeSales?</p> <p>16 A. That's a college.</p> <p>17 Q. Is there a high school or an elementary school</p> <p>18 or anything like that, senior high school?</p> <p>19 A. Not that I recall.</p> <p>20 Q. Did you ever go a DeSales game?</p> <p>21 A. No.</p> <p>22 Q. You went to Drexel and Villanova?</p> <p>23 A. We went to Drexel.</p> <p>24 Q. As a team?</p>	<p>1 A. Okay.</p> <p>2 Q. "Said he hated my picture on my telephone."</p> <p>3 Do you see that? Did you ever have that conversation</p> <p>4 with her or text her about that?</p> <p>5 A. Never. I've never seen any picture on her</p> <p>6 cell phone.</p> <p>7 Q. Emily Mayer says, "He told me he would leave</p> <p>8 the house just to text me because he had to hide it."</p> <p>9 Did you ever tell her that?</p> <p>10 A. No.</p> <p>11 Q. Did you ever have to leave the house to text</p> <p>12 Elizabeth Nace because you had to hide it?</p> <p>13 A. No.</p> <p>14 Q. Was your wife ever interviewed by the Bucks</p> <p>15 County detectives about the Elizabeth Nace situation?</p> <p>16 A. I don't know for sure. I know she showed up</p> <p>17 at the house. I don't know what they discussed with</p> <p>18 her or how in-depth the conversation was or any of</p> <p>19 that.</p> <p>20 Q. She never told you they talked to her about</p> <p>21 certain things, like going away to Colorado for six</p> <p>22 weeks and coming home and finding photographs in the</p> <p>23 household put away?</p> <p>24 A. Things related to the Pennridge case, yes.</p>

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<p>1 Q. Yes, that's what I'm talking about.</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Do you know if your wife told the</p> <p>4 investigators that occasionally you would leave the</p> <p>5 house at night and go out in the field or in the yard</p> <p>6 some place and be on the phone in the dark?</p> <p>7 Do you know if your wife ever told the</p> <p>8 detectives that?</p> <p>9 A. I don't know that.</p> <p>10 Q. Did she tell you, ever, that she told the</p> <p>11 detectives that?</p> <p>12 A. No.</p> <p>13 Q. She says on December 17th -- again, this is</p> <p>14 2009 -- "Coach texted me after the game 'just so you</p> <p>15 know, next Tuesday I am going to tell them that I</p> <p>16 resign.' I said why and he said that he can't be</p> <p>17 friends with me and has to quit because it kills him to</p> <p>18 see me."</p> <p>19 Did you ever text her that?</p> <p>20 A. No.</p> <p>21 Q. Did you ever text her or tell Emily Mayer</p> <p>22 anything in order to make her jealous in order to get</p> <p>23 her to have some physical relationship with you?</p> <p>24 A. No. If I would, why would I remove her as</p>	<p>1 A. Yes.</p> <p>2 Q. Why did you mention her to Elizabeth Nace?</p> <p>3 A. Because she didn't like her.</p> <p>4 Q. I don't understand. Why would you tell</p> <p>5 Elizabeth Nace that you were having some</p> <p>6 communications, in text or otherwise, with someone that</p> <p>7 Elizabeth didn't like?</p> <p>8 A. To get a reaction.</p> <p>9 Q. What kind of reaction?</p> <p>10 A. None specifically.</p> <p>11 Q. Did you tell her why you were in communication</p> <p>12 with that person?</p> <p>13 A. I don't recall.</p> <p>14 Q. But it wasn't to make Elizabeth Nace jealous</p> <p>15 or worrying about you paying attention to some other</p> <p>16 girl.</p> <p>17 A. I don't recall what my intentions were at the</p> <p>18 time other than to get her, you know -- a reaction.</p> <p>19 Q. Emily Mayer says again on this Romig Exhibit</p> <p>20 6, "He," meaning you, "would forward text messages he</p> <p>21 said were between he and Lauren Fretz and ask if I was</p> <p>22 jealous."</p> <p>23 Did you ever do that?</p> <p>24 A. No.</p>
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<p>1 captain of the team at the same time?</p> <p>2 Q. I can't answer your questions. Did you ever</p> <p>3 tell Elizabeth Nace that you had physical relationships</p> <p>4 with other players, not only that team but other teams,</p> <p>5 in order to make her jealous to enter into a physical</p> <p>6 relationship with you?</p> <p>7 A. I told her -- I never told her I had a</p> <p>8 physical relationship with anyone, that I recall. I</p> <p>9 told her that I spoke with others.</p> <p>10 Q. Texted others.</p> <p>11 A. And it was not to make her jealous. It was</p> <p>12 because she had a clear dislike for the people that I</p> <p>13 mentioned.</p> <p>14 Q. Then why would you tell her that?</p> <p>15 A. Because I knew she disliked the person that I</p> <p>16 was talking about.</p> <p>17 Q. Were you trying to upset her?</p> <p>18 A. No, just -- not trying to upset her at all. I</p> <p>19 don't know how I would describe it.</p> <p>20 Q. Do you know a girl, or a woman now, named</p> <p>21 Madeleine Wright?</p> <p>22 A. I don't know her personally, but she was one</p> <p>23 person I mentioned in those text messages.</p> <p>24 Q. To Elizabeth Nace.</p>	<p>1 Q. Did you text Lauren Fretz when she was a</p> <p>2 player?</p> <p>3 A. No.</p> <p>4 Q. Never?</p> <p>5 A. Not that I recall. I don't even know if I had</p> <p>6 a cell phone at the time.</p> <p>7 Q. That would have been around 2008, right?</p> <p>8 A. 2007, 2008, somewhere around that time.</p> <p>9 Q. Emil Mayer says in her statement or typed</p> <p>10 remarks "Coach told me he liked being on the Quakertown</p> <p>11 school bus with his team because they would change in</p> <p>12 front of him."</p> <p>13 A. Never.</p> <p>14 Q. Did you ever tell her that in a text?</p> <p>15 A. No, sir.</p> <p>16 Q. Emily Mayer says in her recollected statement</p> <p>17 here, "Late-night text messages unreturned by me</p> <p>18 because I fell asleep and he would respond with a text</p> <p>19 full of question marks, multiple question marks, one</p> <p>20 after the other."</p> <p>21 Did you ever do that to her?</p> <p>22 A. Not that I recall.</p> <p>23 Q. After you were told by Clymer about the</p> <p>24 accusations that Emily Mayer was making about texting,</p>

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<p>1 inappropriate texting from you, did you ever send her</p> <p>2 an email about Ewing Oil?</p> <p>3 A. Who?</p> <p>4 Q. Ewing Oil.</p> <p>5 A. An email to who?</p> <p>6 Q. To Emily Mayer.</p> <p>7 A. Not that I recall.</p> <p>8 Q. I'm asking you.</p> <p>9 A. Not that I recall.</p> <p>10 Q. Was Chelsea ever sexually abused as child?</p> <p>11 A. No.</p> <p>12 Q. Did she ever tell you that she was?</p> <p>13 A. No.</p> <p>14 Q. In any of your emails to Emily Mayer, did you</p> <p>15 ever compliment her on her looks, tell her she was</p> <p>16 pretty, tell her you liked the way her body looked,</p> <p>17 anything like that?</p> <p>18 A. No.</p> <p>19 Q. To Emily Mayer.</p> <p>20 A. To Emily Mayer? No.</p> <p>21 Q. Did you do it with Elizabeth Nace?</p> <p>22 A. Yes.</p> <p>23 Q. Did you ever try to communicate with players</p> <p>24 on your teams through your wife's Facebook account?</p>	<p>1 A. Yes.</p> <p>2 Q. Do you know whether or not Ryan Clymer and</p> <p>3 Russ Hollenbach ever met with Emily Mayer's parents in</p> <p>4 person?</p> <p>5 A. I have no idea what -- anything that happened</p> <p>6 in the investigation other than what happened with me.</p> <p>7 Q. And we've seen emails between the Smiths and</p> <p>8 Ryan Clymer back and forth, but you don't have any</p> <p>9 knowledge that he actually met them face-to-face to</p> <p>10 review this stuff?</p> <p>11 A. I have no knowledge, no.</p> <p>12 Q. Did Ryan Clymer or Russ Hollenbach ever</p> <p>13 discuss with you the issue of whether or not they</p> <p>14 should report these allegations of inappropriate</p> <p>15 conduct between you and Emily Mayer to the police</p> <p>16 department or the DA or the state public agencies?</p> <p>17 A. No.</p> <p>18 Q. Did you tell Chelsea of the accusations that</p> <p>19 Emily Mayer was making against you?</p> <p>20 A. She was well aware of it.</p> <p>21 Q. How did she become aware of it?</p> <p>22 A. The whole team knew.</p> <p>23 Q. How did they know?</p> <p>24 A. I don't know.</p>
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<p>1 A. No.</p> <p>2 Q. Did you ever Facebook Emily Mayer on your</p> <p>3 wife's Facebook account?</p> <p>4 A. No.</p> <p>5 Q. Did Ryan Clymer or Russ Hollenbach ever tell</p> <p>6 you that they tried to talk to Chase Brunner about the</p> <p>7 texting situation between you and Emily Mayer?</p> <p>8 A. I don't recall if there was a conversation or</p> <p>9 what the content of that conversation was.</p> <p>10 Q. Did they ever tell you whether or not Emily</p> <p>11 Mayer actually showed some of the inappropriate texts</p> <p>12 to Chase Brunner?</p> <p>13 A. No.</p> <p>14 Q. Did anybody ever tell you whether or not Emily</p> <p>15 Mayer showed any of the inappropriate texts to Alli</p> <p>16 Alderfer?</p> <p>17 A. No.</p> <p>18 Q. Did you ever tell Emily Mayer not to tell or</p> <p>19 discuss with other people all the texting that you were</p> <p>20 doing back and forth with her?</p> <p>21 A. No.</p> <p>22 Q. Did you tell that to Elizabeth Nace, about all</p> <p>23 the texting you were doing back and forth with her, not</p> <p>24 to tell other people?</p>	<p>1 Q. I'm asking you: Did you tell Chelsea about</p> <p>2 it?</p> <p>3 A. No.</p> <p>4 Q. Do you know who did tell Chelsea about it?</p> <p>5 A. I'm assuming it was through the school, but I</p> <p>6 don't know specifically who, whether it was an</p> <p>7 individual or group of people.</p> <p>8 Q. Do you know if Chelsea tried to contact Emily</p> <p>9 Mayer after she found out about the accusations to talk</p> <p>10 to Emily about it?</p> <p>11 A. I don't. I don't believe they were talking at</p> <p>12 all at that time, anyways.</p> <p>13 Q. Did you ever get on a conference call with Mr.</p> <p>14 Clymer and Russ Hollenbach, a telephone call,</p> <p>15 conference call, where they were in a room somewhere at</p> <p>16 the school and you were somewhere out away from the</p> <p>17 school?</p> <p>18 A. No.</p> <p>19 Q. About the Emily Mayer situation?</p> <p>20 A. No.</p> <p>21 (Exhibit Romig-7 was marked for</p> <p>22 identification)</p> <p>23 BY MR. GROTH:</p> <p>24 Q. We have another exhibit, Romig Exhibit 7, from</p>

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<p>1 Kevin Smith to Ryan Clymer, dated January 5th, 2010.</p> <p>2 This email with attachments -- more phone logs, text</p> <p>3 logs, between you and Emily Mayer -- is dated the same</p> <p>4 date as you turning in your resignation to Ryan Clymer</p> <p>5 and Russ Hollenbach.</p> <p>6 ..First of all, this is what Mr. Smith attaches</p> <p>7 as logs of the text messages between you and Emily</p> <p>8 Mayer for the month of December 2009, only for the</p> <p>9 month of December 2009. We looked at the other logs</p> <p>10 for September, October and November.</p> <p>11 A. Okay.</p> <p>12 Q. Let me ask you -- and you're free to look at</p> <p>13 the logs if you want. They're the same as the other</p> <p>14 logs, the same kind of information. They go from</p> <p>15 December 4th, 2009 at 5:47 a.m. until Tuesday, December</p> <p>16 22nd at 9:53 a.m., with numerous emails after 10:00 at</p> <p>17 night, 11:00 at night, what have you.</p> <p>18 You can go through them if you want, but first</p> <p>19 I want you to take a look at the email from Kevin Smith</p> <p>20 to Ryan Clymer and let me know if you were ever shown</p> <p>21 that email by anybody before.</p> <p>22 (Pause)</p> <p>23 A. Okay.</p> <p>24 Q. Did you ever see that document before?</p>	<p>1 were in December.</p> <p>2 Q. It also says that on December 5th, 2009,</p> <p>3 beginning at 9:38 a.m. and continuing all day until one</p> <p>4 minute after midnight on December 6th, you texted Emily</p> <p>5 175 times in one day.</p> <p>6 ..A.. Okay.</p> <p>7 Q. Does that refresh your recollection at all</p> <p>8 about that particular date?</p> <p>9 A. I don't recall.</p> <p>10 Q. Do you have any reason to dispute Mr. Smith's</p> <p>11 conclusion that you texted his daughter 175 times in</p> <p>12 one day in December?</p> <p>13 A. Do I have any reason to dispute that?</p> <p>14 Q. Yes, do you have any reason to dispute it? Can</p> <p>15 you tell me it's not true, and tell me why it's not</p> <p>16 true if it's not true?</p> <p>17 A. I have no factual reason to believe it's not</p> <p>18 true.</p> <p>19 Q. Did you see the reference in Mr. Smith's email</p> <p>20 to Mr. Clymer that says "You will notice a message sent</p> <p>21 December 22nd at 9:23 a.m., the day after Emily spoke</p> <p>22 to you," meaning Mr. Clymer, "and the last text message</p> <p>23 containing the message 'This presentation is going to</p> <p>24 be rough. Ewing Oil contracts are difficult to</p>
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<p>1 A. No.</p> <p>2 Q. Mr. Clymer didn't show it to you?</p> <p>3 A. No.</p> <p>4 Q. What time was your meeting with Mr. Clymer and</p> <p>5 Mr. Hollenbach on -- strike that.</p> <p>6 This says, according to Mr. Smith's count,</p> <p>7 that during the month of December the number of texts</p> <p>8 between you and Emily was 2,140 texts; and texts from</p> <p>9 Emily back to you, 1,886.</p> <p>10 Why were there so many texts between you and</p> <p>11 Emily in December of 2009?</p> <p>12 A. Because the issues that she was having with</p> <p>13 Chelsea and the other members of the team and what was</p> <p>14 going on at the time, just letting her -- I asked her</p> <p>15 to step down as the captain.</p> <p>16 Q. And it took 2,140 text messages from you to</p> <p>17 discuss that issue?</p> <p>18 A. You asked what increased the amount from the</p> <p>19 previous month, and that's what increased it for me.</p> <p>20 Q. And that's what I'm asking you now. Now that</p> <p>21 you're telling me it's about them being demoted as</p> <p>22 captains and having problems, that that took 2,140</p> <p>23 messages from you to Emily in December?</p> <p>24 A. That is what the nature of those conversations</p>	<p>1 negotiate"?</p> <p>2 Do you read that at the bottom?</p> <p>3 A. I read that, yes.</p> <p>4 Q. Did you send her that text message?</p> <p>5 A. I have no idea why I would.</p> <p>6 Q. But you can't deny that you did.</p> <p>7 A. If I did, it was not meant for her.</p> <p>8 Q. Were any of the text messages that you ever</p> <p>9 sent Emily Mayer intended for your wife? In other</p> <p>10 words, did you text something to Emily Mayer that you</p> <p>11 actually had intended to send to your wife?</p> <p>12 A. I don't recall. I have mistexted people in my</p> <p>13 life, yes.</p> <p>14 (Exhibit Romig-8 was marked for</p> <p>15 identification)</p> <p>16 BY MR. GROTH:</p> <p>17 Q. I've marked as Romig Exhibit 8 an email from</p> <p>18 Russ Hollenbach to Ryan Clymer, Ron Jones and Paul</p> <p>19 Auckland. Who is Ron Jones?</p> <p>20 A. He was an assistant pastor at the church at</p> <p>21 that time.</p> <p>22 Q. And who is Paul Auckland?</p> <p>23 A. The head pastor of the church at that time.</p> <p>24 MR. GROTH: I'm not sure if I gave the</p>

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<p>1 date identifying it: It's January 5th, 2010 also.</p> <p>2 BY MR. GROTH:</p> <p>3 Q. Mr. Hollenbach is forwarding this email that</p> <p>4 was sent to him by your wife, Stephanie Romig.</p> <p>5 Were you aware back at the time, 2009/2010,</p> <p>6 that your wife was emailing either Mr. Hollenbach or</p> <p>7 Mr. Clymer about the situation with Emily Mayer?</p> <p>8 A. I knew she was in contact with him. I don't</p> <p>9 know the specifics of what was said.</p> <p>10 Q. Did you ever tell your wife that you thought</p> <p>11 that somebody sent these texts, 175 texts on December</p> <p>12 5th, when you left your phone someplace overnight? Did</p> <p>13 you ever tell her that?</p> <p>14 A. When I thought that was the weekend that my</p> <p>15 phone was misplaced, I believe it had to be the case</p> <p>16 because I didn't have my phone at the time.</p> <p>17 Q. Let me have you take look at that, read</p> <p>18 through it if you want, and tell me if you've ever seen</p> <p>19 it before.</p> <p>20 (Pause)</p> <p>21 A. Thank you.</p> <p>22 Q. First question: Did you ever see this email</p> <p>23 before?</p> <p>24 A. I have not.</p>	<p>1 Q. Women people? Girls, females?</p> <p>2 A. Lesbians, yes.</p> <p>3 Q. Well, was she referring to any boys or just</p> <p>4 girls?</p> <p>5 A. I don't know.</p> <p>6 Q. If you know.</p> <p>7 A. I don't know.</p> <p>8 Q. She also refers to your sister's situation and</p> <p>9 she says in her email, "He is so hurt. His sister went</p> <p>10 through this and it crushed him. He would never do this</p> <p>11 to his family. He tried to be there for his team and</p> <p>12 never thought it would turn on him."</p> <p>13 I asked you before how you felt about your</p> <p>14 sister's situation, and you said that you were there to</p> <p>15 support her when she needed support, although you</p> <p>16 didn't give me any details about what happened to her.</p> <p>17 Is your wife here correct when she wrote that</p> <p>18 whatever happened to your sister crushed you?</p> <p>19 A. I was very disappointed, yes.</p> <p>20 Q. Disappointed in the . . .</p> <p>21 A. In what happened.</p> <p>22 Q. . . in the teacher.</p> <p>23 A. Yes.</p> <p>24</p>
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<p>1 Q. Your wife didn't get your okay or clearance to</p> <p>2 send this to Russ Hollenbach on January 5th, the day</p> <p>3 you resigned?</p> <p>4 A. No, nor would she need it.</p> <p>5 MS. SOMMER: Mr. Groth, can we just go</p> <p>6 off the record for a minute?</p> <p>7 MR. GROTH: Sure.</p> <p>8 (There was a discussion held off the</p> <p>9 record)</p> <p>10 MR. GROTH: We're back on the record.</p> <p>11 BY MR. GROTH:</p> <p>12 Q. There is a comment on the second page of this</p> <p>13 email from your wife that says "'We pay for our</p> <p>14 children to go to a Christian school so that they don't</p> <p>15 have to endure this kind of thing in public school. I</p> <p>16 know kids are kids and we will see bad ones. However,</p> <p>17 lesbians, drinkers, and ones having sex shouldn't be</p> <p>18 allowed in Faith."</p> <p>19 Do you know who she's referring to there as</p> <p>20 "lesbians, drinkers, and ones having sex shouldn't be</p> <p>21 allowed in Faith"?</p> <p>22 A. I don't know who specifically, but I know at</p> <p>23 that time there were people within the school that fell</p> <p>24 into those categories.</p>	<p>1 (Exhibit Romig-9 was marked for</p> <p>2 identification)</p> <p>3 BY MR. GROTH:</p> <p>4 Q. There is another email from Hollenbach to Ryan</p> <p>5 Clymer -- I'm sorry. It's forwarding the email through</p> <p>6 to him, to Hollenbach, which you sent to him on January</p> <p>7 6th. Hollenbach is forwarding it to Clymer on January</p> <p>8 7th.</p> <p>9 Would you take a look at that? It's marked as</p> <p>10 Romig exhibit nine.</p> <p>11 A. Thank you.</p> <p>12 MR. GROTH: Off the record for a</p> <p>13 second.</p> <p>14 (There was a discussion held off the</p> <p>15 record)</p> <p>16 THE WITNESS: Okay.</p> <p>17 BY MR. GROTH:</p> <p>18 Q. That is your email to Mr. Hollenbach. Do you</p> <p>19 recall sending that email?</p> <p>20 A. I did not send it; my wife did.</p> <p>21 Q. It says from Eric Romig to Hollenbach.</p> <p>22 A. We had a shared account.</p> <p>23 Q. Oh, okay. Stephanie's name is at the bottom.</p> <p>24 A. Correct.</p>

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<p>1 Q. She says that she wants the texts subpoenaed</p> <p>2 between Emily and Chase Brunner to try to help you out.</p> <p>3 Did she ever discuss that with you?</p> <p>4 A. No.</p> <p>5 Q. Did she ever tell you why she thought getting</p> <p>6 text messages between Emily and Chase Brunner would be</p> <p>7 of some help to you?</p> <p>8 A. I don't recall, no.</p> <p>9 Q. Who is Mikeala Veronica?</p> <p>10 A. Veronica, I believe, was a -- she was a</p> <p>11 player of mine. Mikeala, I think, was a student at the</p> <p>12 school, if I recall correctly.</p> <p>13 Q. Was she a player?</p> <p>14 A. No.</p> <p>15 Q. When I asked you before about going to Drexel</p> <p>16 and Villanova, this also references going to Villanova,</p> <p>17 does it not?</p> <p>18 A. I don't recall going to Villanova unless it</p> <p>19 was for a district game or a championship game.</p> <p>20 Q. Did your wife ever tell you about this Mikeala</p> <p>21 Veronica supposedly telling somebody that Emily Mayer</p> <p>22 said that she was attracted to you?</p> <p>23 A. If I recall correctly, they told Chelsea this</p> <p>24 information.</p>	<p>1 A. Yes, sir.</p> <p>2 (Pause)</p> <p>3 A. Okay, thank you.</p> <p>4 Q. Now, this is about somebody supposedly using</p> <p>5 your cell phone to text Emily on that day, of 175 texts</p> <p>6 on 12/5.</p> <p>7 A. When we were talking about the weekend in</p> <p>8 question, one of the weekends in December there, that's</p> <p>9 what that was pertaining to.</p> <p>10 Q. So, when you say in this email "I hope this</p> <p>11 helps and shows that someone was using my phone," you</p> <p>12 later found that not to be the case.</p> <p>13 A. There were telephone numbers on that list.</p> <p>14 Those telephone numbers I didn't recognize nor who they</p> <p>15 pertained to.</p> <p>16 Q. But do you have any factual information that</p> <p>17 somebody else texted on your phone?</p> <p>18 A. I don't have any proof or anyone on a camera</p> <p>19 that they did it, but I don't know what the numbers</p> <p>20 were on that call log. Some of them --</p> <p>21 Q. You say you gave your phone occasionally to</p> <p>22 members of the team to do texting and whatever?</p> <p>23 A. Or whatever they were doing.</p> <p>24 Q. Okay.</p>
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<p>1 Q. Did you ever try to verify that?</p> <p>2 A. There was no way to verify that.</p> <p>3 Q. You didn't do any investigation yourself,</p> <p>4 correct?</p> <p>5 A. No.</p> <p>6 Q. Of Emily Mayer's allegations? You didn't talk</p> <p>7 to any students? You didn't take to new players? You</p> <p>8 didn't talk to any assistant coaches or anything like</p> <p>9 that?</p> <p>10 A. I would never put any of the other students in</p> <p>11 the middle of that.</p> <p>12 Q. She also references here seeing Emily standing</p> <p>13 by the gym door watching the basketball team practice.</p> <p>14 Was this during the period of time where she</p> <p>15 was suspended and out of school and off the team?</p> <p>16 A. I assume so. I don't even recall that that</p> <p>17 even took place.</p> <p>18 (Exhibit Romig-10 was marked for</p> <p>19 identification)</p> <p>20 BY MR. GROTH:</p> <p>21 Q. I've marked as Exhibit Romig-10 an email from</p> <p>22 you to Ryan Clymer dated January 7th, 2010. This is</p> <p>23 two days after you sent in your letter of resignation.</p> <p>24 Would you take a look at this, please?</p>	<p>1 A. They would program numbers in my phone, you</p> <p>2 know, things like that.</p> <p>3 Q. Somebody on your team that you gave the phone</p> <p>4 to could have texted somebody else, correct?</p> <p>5 A. At specific times, but maybe not. . .</p> <p>6 (Exhibit Romig-11 was marked for</p> <p>7 identification)</p> <p>8 BY MR. GROTH:</p> <p>9 Q. Romig Exhibit 11 is an email from Annette</p> <p>10 Smith to Ryan Clymer dated January 16th. This is</p> <p>11 eleven days after you submitted your resignation.</p> <p>12 Did you ever see this document before?</p> <p>13 (Pause)</p> <p>14 A. I've never seen that, no.</p> <p>15 Q. Okay. You testified earlier that as far as</p> <p>16 you understood at the time, that Emily Mayer wasn't</p> <p>17 really that upset about anything and just wanted to be</p> <p>18 back on the basketball team. Is that correct?</p> <p>19 A. Yes, her and her parents.</p> <p>20 Q. And this indicates that at some time after you</p> <p>21 resigned you were actually sitting with the team during</p> <p>22 a game?</p> <p>23 A. I don't ever recall sitting with the team</p> <p>24 during the game.</p>

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<p>1 Q. The email here says "In my discussions with</p> <p>2 Emily, she informed me that initially Mr. Romig was</p> <p>3 sitting on the chairs with the girls."</p> <p>4 Do you recall doing that?</p> <p>5 A. There was no way that ever would have</p> <p>6 happened...I may have been behind the bench a few rows</p> <p>7 or somewhere in the vicinity, but never on the bench</p> <p>8 with the team.</p> <p>9 Q. Do you recall having a conversation with Coach</p> <p>10 Forker where he asked you to move because Emily Mayer</p> <p>11 was uncomfortable with you sitting where you were</p> <p>12 sitting?</p> <p>13 A. I do not recall a conversation like that.</p> <p>14 (Exhibit Romig-12 was marked for</p> <p>15 identification)</p> <p>16 BY MR. GROTH:</p> <p>17 Q. I'm going to show you Romig Exhibit 12. It's</p> <p>18 dated March 31, 2010. It looks like notes of a meeting</p> <p>19 between you and a number of people. I'll ask you to</p> <p>20 take a look at that and tell me if you've ever seen it</p> <p>21 before.</p> <p>22 (Pause)</p> <p>23 A. Thank you.</p> <p>24 Q. Have you ever seen that document before, Mr.</p>	<p>1 THE WITNESS: This right here. It says</p> <p>2 "Eric has used the term 'neglect. .'" I don't</p> <p>3 know what that says, though.</p> <p>4 MR. KEMETHER: "...on her part."</p> <p>5 MR. GROTH: You can't read it?</p> <p>6 THE WITNESS: No.</p> <p>7 MR. SANTARONE: The last word is</p> <p>8 "part."</p> <p>9 MR. GROTH: Yes.</p> <p>10 THE WITNESS: If there was -- what</p> <p>11 you're talking about at the time is also stated, I</p> <p>12 believe, in maybe an email I sent to Ryan about</p> <p>13 how I was bad-mouthing him and everyone involved</p> <p>14 at that time, which I even sent them a letter</p> <p>15 recently stating the same thing because it</p> <p>16 continued long after that even took place.</p> <p>17 BY MR. GROTH:</p> <p>18 Q. Subsection 4.2 says, "Ryan brought up some</p> <p>19 specifics regarding untruths that surfaced in the whole</p> <p>20 situation."</p> <p>21 Do you recall what was being talked about at</p> <p>22 the meeting between you and these gentlemen about</p> <p>23 untruths that surfaced during the whole situation?</p> <p>24 A. The only thing it could have been was the</p>
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<p>1 Romig?</p> <p>2 A. No.</p> <p>3 Q. What was the purpose of this meeting that is</p> <p>4 being documented here on March 31st, 2010?</p> <p>5 A. After having multiple meetings with the</p> <p>6 pastors and talking the whole situation through, they</p> <p>7 felt it would be good to bring everyone in to talk, to</p> <p>8 try and come up with a resolution moving forward as far</p> <p>9 as relationships and as far as how to handle things</p> <p>10 properly.</p> <p>11 Q. They talk about a lot of the issues that came</p> <p>12 up as part of the Mayer investigation, correct?</p> <p>13 A. Yes.</p> <p>14 Q. At this time, in March of 2010, did you want</p> <p>15 to try to return to coaching at FCA?</p> <p>16 A. March of 2010. I don't believe so, no. I had</p> <p>17 no interest in returning as coach.</p> <p>18 Q. It says here in paragraph three, "Eric</p> <p>19 speaking," referring to you, and then it says in</p> <p>20 Subsection A, "Eric used the term 'neglect' on -- I'm</p> <p>21 not sure what the last two words are. Right here: Do</p> <p>22 you know what that is referring to?</p> <p>23 A. I don't know.</p> <p>24 MR. SANTARONE: What is it?</p>	<p>1 confusion on the weekend of the text messages, which</p> <p>2 again at that time I didn't know what was so important</p> <p>3 about this specific weekend that they were talking</p> <p>4 about.</p> <p>5 Q. The next section, 4.3: "Ryan shared that Eric</p> <p>6 lied to him. Eric shared some reasons and excuses."</p> <p>7 You think that's what that was referring to?</p> <p>8 A. Yes, had to be.</p> <p>9 Q. No other lies? No other excuses?</p> <p>10 A. No.</p> <p>11 Q. It says in 5.3 "Claims marriage is great and</p> <p>12 Steph is aware of texting." Do you recall discussing</p> <p>13 that at this meeting?</p> <p>14 A. Yes.</p> <p>15 Q. Was your marriage great in the spring and fall</p> <p>16 of 2013 when you started a physical relationship with</p> <p>17 Elizabeth Nace?</p> <p>18 A. No.</p> <p>19 Q. What had happened between 2010 and 2013 with</p> <p>20 your marriage?</p> <p>21 A. It wasn't 2010 and 2013. It was the year</p> <p>22 2013. It just seemed to be a disconnect. We had many</p> <p>23 conversations about our marriage, and to me it just</p> <p>24 seemed that there was a change in maybe her feelings or</p>

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<p>1 what was going on in her mind at the time.</p> <p>2 Q. Did you ever get any marital counseling?</p> <p>3 A. No.</p> <p>4 Q. Under paragraph six of this handwritten</p> <p>5 report, under Subsection 6.5 it says "Can you coach</p> <p>6 again?" Then it says "Yes, in time and under probation</p> <p>7 contract."</p> <p>8 Did you discuss at this meeting coaching again</p> <p>9 at FCA?</p> <p>10 A. I don't ever recall the probation part of it,</p> <p>11 but at that meeting I told you I discussed with Russ</p> <p>12 possibly returning next season as girls coach, and I</p> <p>13 believe it was maybe a year later about me coming back</p> <p>14 or applying for the boys coach at the time.</p> <p>15 Q. And did you ever do that, apply for any of</p> <p>16 those positions afterwards?</p> <p>17 A. Ryan and I had dinner at a diner in</p> <p>18 Sellersville to discuss the matter.</p> <p>19 Q. When?</p> <p>20 A. It was quite some time between this incident</p> <p>21 and...</p> <p>22 Q. Sometime after March 31st, 2010, sometime</p> <p>23 later.</p> <p>24 A. No doubt.</p>	<p>1 Q. I just have a couple of questions about this.</p> <p>2 Just for the conversations, it seems to be about your</p> <p>3 going to an awards banquet or basketball banquet at the</p> <p>4 end of the season. Is that correct?</p> <p>5 A. Yes.</p> <p>6 Q. Did you ask permission to attend the banquet</p> <p>7 after the Emily Mayer situation arose? Did you ask</p> <p>8 anyone for permission, Ryan Clymer or Russ Hollenbach</p> <p>9 or anybody else?</p> <p>10 A. No.</p> <p>11 Q. Did Mr. Clymer or Mr. Hollenbach try to</p> <p>12 dissuade you from attending the banquet?</p> <p>13 A. Absolutely not.</p> <p>14 Q. What was the reason, then, for the email about</p> <p>15 going to the banquet or having the girls say something</p> <p>16 to you or not say something to you?</p> <p>17 A. To do what's best for everybody involved, not</p> <p>18 to take attention off the students, because the night</p> <p>19 is about them. It's not about me. It's not about what</p> <p>20 happened. It's not about what's been said.</p> <p>21 The night's about them, so I didn't want to</p> <p>22 take focus off where it should have been, and that's on</p> <p>23 the students.</p> <p>24 Q. Well, was there a discussion about somebody</p>
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<p>1 Q. Later in 2010 or 2011?</p> <p>2 A. I don't recall the exact time, but it was at</p> <p>3 least a year after this incident.</p> <p>4 Q. And when the note here is "Yes, in time and</p> <p>5 under probation contract," do you know who is saying</p> <p>6 that or who said it at the meeting, that you could come</p> <p>7 back under a probation contract?</p> <p>8 A. No.</p> <p>9 Q. Under the conclusion paragraph, paragraph</p> <p>10 nine, 9.1, it says "Because of legal counsel, coaching</p> <p>11 next year is not possible."</p> <p>12 A. I have no idea what that's -- legal counsel or</p> <p>13 anything to do with that.</p> <p>14 (Exhibit Romig-13 was marked for</p> <p>15 identification)</p> <p>16 BY MR. GROTH:</p> <p>17 Q. The next exhibit is thirteen, Romig-13, an</p> <p>18 email from you dated May 7th, 2010, to Russ Hollenbach</p> <p>19 with a copy to Clymer.</p> <p>20 There is a series of actual emails back and</p> <p>21 forth between you folks that are attached to that.</p> <p>22 Would you take a look at that quickly, please?</p> <p>23 A. Sure.</p> <p>24 (Pause)</p>	<p>1 telling the players on the team not to ask you any</p> <p>2 questions or talk about the Emily Mayer situation? Did</p> <p>3 somebody raise that issue with you?</p> <p>4 A. Not that I recall. I know in that email we</p> <p>5 discussed, you know -- because I believe Chelsea wanted</p> <p>6 to have the right to do that, if she deemed necessary.</p> <p>7 Q. To do what?</p> <p>8 A. To bring me up and thank me for my time there,</p> <p>9 but not to bring up the situation itself. That would</p> <p>10 be uncomfortable for the students.</p> <p>11 Q. There is also a passage in this email that you</p> <p>12 sent that says "There is nothing written in the coach's</p> <p>13 handbook at FCA or anywhere at Faith that let the</p> <p>14 coaches know this or that it was a rule," talking about</p> <p>15 not texting players.</p> <p>16 A. Right.</p> <p>17 Q. And you say "Quantity means nothing when there</p> <p>18 is no rule in writing preventing coaches from texting</p> <p>19 their players."</p> <p>20 Are you trying to tell Mr. Hollenbach here and</p> <p>21 Ryan Clymer that this all occurred with Emily Mayer</p> <p>22 because there was no written rule at FCA that you</p> <p>23 couldn't text players?</p> <p>24 A. Ask that again, please.</p>

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<p>1 Q. Yes. Were you trying to convince Mr. Clymer 2 and Mr. Hollenbach that none of this texting issue with 3 Emily Mayer would have taken place if FCA had had in 4 place a written policy regarding texting between 5 coaches and players? 6 A...If it was set in stone, it would not have 7 taken place. But it was new to all of us at that time. 8 It's not like this existed for years and years, where, 9 you know, this is the first time something ever came up 10 related to that. So, it was new to the school as well 11 as me. 12 Q. Well, when you put in this email -- and I 13 quote -- "Quantity means nothing when there is no rule 14 in writing preventing coaches from texting their 15 players," were you meaning to impart to Mr. Clymer and 16 Mr. Hollenbach that a coach texting one of his players 17 over 2,100 times in December and a total of over 3,000 18 times in three months should not have any consequences, 19 that it didn't mean anything if there is no rule 20 against it? 21 A. At that time I didn't see what the problem 22 was. 23 Q. Also in the email, you reference a statement 24 saying Mayer faces a defamation lawsuit from you for</p>	<p>1 A. No. 2 Q. Why not? 3 A. Well, when I discussed it -- when I sought 4 advice from my pastor and whatnot about the proper 5 thing to do, we do believe that Christians shouldn't 6 sue other Christians. And I believe that on my own, 7 still believe that to day, so I just kind of move 8 forward with that. 9 Q. You believe that Christians shouldn't sue 10 other Christians even if they do very hurtful things to 11 other Christians. 12 A. No. 13 Q. They should not. 14 A. No. 15 Q. How should it be handled? 16 A. The person that commits the offense should go 17 to the people and seek their forgiveness. 18 Q. And that should be the only consequence. 19 A. Yes. 20 Q. And it was also your belief that as a 21 Christian you should forgive the person who committed 22 an offense against you, correct? 23 A. Yes. 24 Q. So, as far as you were concerned, if you did</p>
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<p>1 the accusations that she made against you. 2 A. I must have said that out of anger because. 3 4 Q. My question is, did you ever do anything about 5 that? 6 A. No. 7 Q. Did you ever talk to an attorney about it, 8 about pursuing it? 9 A. No. 10 Q. Did you ever talk to the Mayers or Smiths 11 about it? 12 A. No. 13 Q. Did you ever make a threat against them? 14 A. No, I had no contact with them once the 15 allegation came out. 16 Q. It says in here that you were intending to 17 confront the Smiths at the school about the accusations 18 of their daughter against you, and Hollenbach actually 19 tells you here in his email to go and confront the 20 Smiths. 21 A. Right. 22 Q. Do you recall reading that? 23 A. Yes. 24 Q. Did you ever do it?</p>	<p>1 anything wrong, you should ask for forgiveness from the 2 Smiths and they should forgive you, end of story, 3 right? 4 A. No. 5 Q. What about your situation with Elizabeth Nace? 6 Same thing? You believe that as a Christian -- and she 7 was a Christian -- that all you should have done was 8 seek her forgiveness and get it from her, and that 9 would have been the end of the story? 10 A. Absolutely not. I belong where I -- I belong 11 doing the time I'm doing because I did something wrong. 12 Q. As a Christian, you regard it as a sin to lie 13 about things you've done, acts that you've committed in 14 the past? 15 A. Yes. 16 (Exhibits Romig-14 and Romig-15 were 17 marked for identification) 18 BY MR. GROTH: 19 Q. Last two things from the FCA, two letters that 20 you wrote to Russell Hollenbach, one dated 8/27/14 and 21 one dated 11/12/14. I don't know if you need to read 22 through all of them here. 23 A. No, thank you. 24 Q. They're more recent, whatever. I have just a</p>

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<p>1 couple of questions. In the August 27th letter which</p> <p>2 is marked Romig Exhibit 14, you say you were not under</p> <p>3 contract after May 2013 at Pennridge. Do you recall</p> <p>4 writing that?</p> <p>5 A. Yes.</p> <p>6 Q. But in 2013 you started coaching Elizabeth</p> <p>7 Nace when?</p> <p>8 A. Repeat the question, please?</p> <p>9 Q. Yes: The season ended at Pennridge in May of</p> <p>10 2013, the JV season, right?</p> <p>11 A. Yes.</p> <p>12 Q. And you coached her for what period of time</p> <p>13 during 2013?</p> <p>14 A. From March to May.</p> <p>15 Q. So, you had March, April and to the end of May</p> <p>16 where you were in contact with Elizabeth Nace by virtue</p> <p>17 of Pennridge putting you in position as JV coach of the</p> <p>18 girls softball team, correct?</p> <p>19 A. Correct.</p> <p>20 Q. You had no other reason to be in contact with</p> <p>21 her, correct?</p> <p>22 A. Correct.</p> <p>23 Q. You were not a teacher?</p> <p>24 A. Correct.</p>	<p>1 person in my case. He knew --</p> <p>2 Q. What person in your case?</p> <p>3 A. Elizabeth Nace.</p> <p>4 Q. Okay.</p> <p>5 A. And that they -- the same time that we were --</p> <p>6 in the summer of 2013, when we were doing our thing...</p> <p>7 that he had Facebook conversations with her; that she</p> <p>8 invited him over, discussing when her parents would not</p> <p>9 be home, and also stated what her name was and where</p> <p>10 she lived.</p> <p>11 Q. And he was in county jail for what?</p> <p>12 A. Arson.</p> <p>13 Q. Do you know what happened to him eventually?</p> <p>14 Was he convicted, plead guilty, what?</p> <p>15 A. Yes.</p> <p>16 Q. And how did it come up that he started</p> <p>17 discussing Elizabeth Nace with you in county prison?</p> <p>18 A. He told me that he knew the person involved in</p> <p>19 that case.</p> <p>20 Q. How did he know what your case was about?</p> <p>21 A. It was pretty well publicized.</p> <p>22 Q. Did he tell you he read it in the newspaper,</p> <p>23 or what?</p> <p>24 A. Saw it on TV, read it in the newspaper.</p>
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<p>1 Q. You had nothing else to do, no other function</p> <p>2 or part to play at the school, correct?</p> <p>3 A. No.</p> <p>4 Q. You didn't know her before that, correct?</p> <p>5 A. Yes, I coached her the previous year.</p> <p>6 Q. Except for coaching her the previous year, you</p> <p>7 had no contact with her or knew her before that year.</p> <p>8 A. No.</p> <p>9 Q. Okay. And do you have any reason to believe</p> <p>10 that Elizabeth Nace knew, personally knew, Emily Mayer</p> <p>11 at any time before you became her coach at Pennridge?</p> <p>12 A. Not that I'm aware of.</p> <p>13 Q. In this Romig-14 exhibit, the handwritten</p> <p>14 letter from you to Russ Hollenbach dated 8/27/14, you</p> <p>15 indicated something about meeting a guy in prison and</p> <p>16 about him getting some Facebook messages from -- it</p> <p>17 says "her to meet for sex."</p> <p>18 Do you recall saying that in the letter?</p> <p>19 A. Yes.</p> <p>20 Q. Tell me what that's all about.</p> <p>21 A. I met a guy in county prison who --</p> <p>22 Q. In Doylestown?</p> <p>23 A. In Doylestown, at Bucks County Prison, who</p> <p>24 actually told me during that summer that he knew the</p>	<p>1 Q. While he was in jail?</p> <p>2 A. Yes.</p> <p>3 Q. And he told you, out of the blue, that</p> <p>4 Elizabeth Nace had contacted him by Facebook in a chat</p> <p>5 room or something to talk to him about meeting up for</p> <p>6 sex?</p> <p>7 A. I don't know exactly if it was a chat room --</p> <p>8 I don't know all the details of that, but he said they</p> <p>9 were friends on Facebook because they were both</p> <p>10 associated with Pennridge and that the conversation</p> <p>11 took place in the summer of 2013.</p> <p>12 Q. Was that important to you for any reason?</p> <p>13 A. Yes.</p> <p>14 Q. Why?</p> <p>15 A. Because it shows a pattern on her part.</p> <p>16 Q. Pattern of what?</p> <p>17 A. That this is not the only time that this</p> <p>18 happened with an adult.</p> <p>19 Q. Only time what happened with an adult?</p> <p>20 A. Discussing inappropriate things or actually</p> <p>21 being involved with inappropriate things.</p> <p>22 Q. Well, whose idea was it for Elizabeth Nace to</p> <p>23 get involved with you in the first place? Whose idea</p> <p>24 was it?</p>

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1 A. Both of ours.
 2 Q. So, you're saying she pursued you.
 3 A. I wouldn't say she pursued me, no, but she
 4 told me what her intentions were and how she felt about
 5 me long before I even knew.
 6 Q. When did she tell you that?
 7 A. In the summer of 2013.
 8 Q. When in the summer of 2013?
 9 A. Possibly June or July.
 10 Q. You didn't text her at all the first year you
 11 coached her, did you?
 12 A. No.
 13 Q. But you started coaching her in the second
 14 year -- you started texting her in the second year.
 15 A. At the end of the season, yes.
 16 Q. In May?
 17 A. Yes.
 18 Q. Before the season ended.
 19 A. I don't recall if it was when our season
 20 ended. Our season ended the beginning or middle of
 21 May.
 22 Q. And were any of those texts inappropriate in
 23 terms of talking about personal matters with her that
 24 had nothing to do with the softball season?

1 A. I don't recall.
 2 Q. You don't recall?
 3 A. No, not at the beginning. I obviously know
 4 what was said June, July and August.
 5 Q. Were you complimenting her on her looks?
 6 A. I know at some point in the summer of 2013 I
 7 did, yes.
 8 Q. You keep saying in the summer. What time do
 9 you mean by "the summer"?
 10 A. June, July and August.
 11 Q. Were you telling her that you could help her
 12 out with her problems?
 13 A. Yes.
 14 Q. What problems did she have?
 15 A. She was having issues as far as her parents
 16 and how they were treating her in reference to she
 17 mentioned something about her father was only
 18 interested in her life when it came to softball, and I
 19 believe that's how that started.
 20 Q. Sort of the same type of personal problems you
 21 texted and discussed with Emily Mayer.
 22 A. Completely different.
 23 Q. Did Elizabeth Nace ever tell you that she had
 24 an eating disorder?

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1 A. I don't know the exact time where the text
 2 messages turned inappropriate.
 3 Q. If she says that that occurred during the
 4 season at Pennridge before the season ended at the end
 5 May, you can't dispute that, can you?
 6 MR. SANTARONE: I'm sorry, are you
 7 talking about 2013?
 8 MR. GROTH: Yes.
 9 MR. SANTARONE: Season, okay.
 10 THE WITNESS: I don't know what -- I
 11 mean, I'm sure you have the documentation of what
 12 was in the text messages between her and I, so.
 13
 14 BY MR. GROTH:
 15 Q. Well, I want to know your recollection. To
 16 your recollection, you were texting her inappropriate
 17 things before the season ended at Pennridge in 2013?
 18 A. I don't believe our conversations were during
 19 our season, no. Maybe after our season ended and maybe
 20 she went and played for the varsity, but I do not even
 21 recall that.
 22 Q. What types of inappropriate things did you
 23 text to her when you started texting her inappropriate
 24 things?

1 A. Yes.
 2 Q. And what did she tell you?
 3 A. That she has had -- that she suffered from an
 4 eating disorder over the last couple to few years of
 5 her life.
 6 Q. What was her height and weight, to the best of
 7 your approximation, back in 2013 when she just turned
 8 sixteen, May of 2013?
 9 A. Approximately five foot three and somewhere
 10 around 100, 105 pounds.
 11 Q. Could it be a little less than that? Could she
 12 be a little shorter than that, less weight than that?
 13 A. I don't know.
 14 Q. Did she have braces on her teeth back then?
 15 A. Yes.
 16 Q. Did she look like she was sixteen or did she
 17 look younger?
 18 A. Yes.
 19 Q. Yes what?
 20 A. She looked like she was sixteen.
 21 Q. You don't know exactly the date, but you say
 22 it's in the summer of 2013, when you began
 23 inappropriate texts with her. Is that correct?
 24 A. I believe it was June of 2013, yes.

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1 Q. June of 2013. You're not sure of that.
2 A. Not one hundred percent, but pretty sure.
3 Q. Who was the first person between the two of
4 you to make any suggestion that there should be some
5 physical sexual contact between the two of you?
6 A. I believe we discussed that in person the
7 first time.
8 Q. Who brought it up?
9 A. I don't recall.
10 Q. She might have brought it up?
11 A. May have, but may not have as well.
12 Q. Do you recall whether or not you ever asked
13 her if she was a virgin?
14 A. Yes.
15 Q. Did you ask her?
16 A. Yes.
17 Q. Do you think that was an appropriate question?
18 A. None of it was appropriate.
19 Q. What did she tell you?
20 A. She said yes, and then later recanted that she
21 was not.
22 Q. When did she recant it?
23 A. I believe it was July of 2013.
24 Q. What did she tell you?

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1 A. That she was with some -- I knew of at least
2 one other person that she confessed to me about.
3 Q. Who?
4 A. A guy named Kyle.
5 Q. Kyle what?
6 A. I don't know.
7 Q. A student at school?
8 A. I believe so. It was somebody that she dated.
9 I don't know if it was someone at Pennridge or someone
10 outside of Pennridge.
11 Q. Did she say that was her only time of physical
12 sexual contact?
13 A. In June of 2013, I believe if you review the
14 text messages, she discussed a coach that she was
15 coached by previous to the -- he was on the travel team
16 that she participated in.
17 She mentioned about a close relationship she
18 had with that coach, but would not admit whether it was
19 physical or not. But you will be able to review that
20 in the text messages.
21 Q. Do you know who the coach was?
22 A. Mark Gery.
23 Q. Where did he work or coach or whatever?
24 A. The Deep Run.

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1 Q. Deep Run what?
2 A. Athletic Association, I believe.
3 Q. Did she actually show you emails or text
4 messages or something that confirms this information?
5 A. No. She just discussed with me what their
6 relationship was. And when she left The Deep Run team
7 to pursue other interests with another team, she told
8 me that he said that, if she left the team, that he
9 would be extremely upset, that he wouldn't know what he
10 would do, and other comments that make it seem like
11 there was a lot more than just a coach-player
12 relationship.
13 Q. Did she say there was actually anything
14 physical between the two of them?
15 A. She would not admit it, but she would. . .
16 Q. She would what?
17 A. Talk about him quite often and infer as if
18 there was, falling short of actually stating that it
19 actually did happen.
20 Q. Is this before or after you were having a
21 physical sexual relationship with her?
22 A. Before.
23 Q. Did you tell Elizabeth Nace that you and your
24 wife were having marital problems?

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1 A. I believe I did, yes.
2 Q. Did you tell her that you were getting a
3 divorce?
4 A. I believe I did, yes.
5 Q. Did you tell her that you were separated from
6 your wife?
7 A. I don't recall whether I did or not. I may or
8 may not have.
9 Q. Well, if you told her you were getting a
10 divorce or that you were separated, that was all lies,
11 right?
12 A. I wasn't sure what my intention was at that
13 time.
14 Q. Well, you weren't divorced and you weren't
15 separated at that time, correct?
16 A. There were obvious problems in our marriage.
17 We weren't legally separated or legally divorced.
18 Q. But you told Elizabeth Nace that you were
19 either separated or getting a divorce, correct?
20 A. I told her that that was my intention.
21 Q. And you told her it was your intention to
22 marry her and take care of her, Elizabeth Nace,
23 correct?
24 A. Yes.

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<p>1 Q. That was a lie, too, right?</p> <p>2 A. No.</p> <p>3 Q. You had the intention of marrying a</p> <p>4 just-turned-sixteen-year-old girl when you were</p> <p>5 thirty-six. Is that correct?</p> <p>6 A. No, I wasn't going to marry her when she was</p> <p>7 sixteen years old.</p> <p>8 Q. You were going to marry her eventually.</p> <p>9 A. At that time I thought that was a possibility.</p> <p>10 Q. You invited Elizabeth Nace over to your family</p> <p>11 house on a number of occasions to sleep over. Is that</p> <p>12 correct?</p> <p>13 A. Yes.</p> <p>14 Q. And she lied to her parents and said that she</p> <p>15 was at a girlfriend's house and she spent the night</p> <p>16 with you at your place, right?</p> <p>17 A. I believe she did.</p> <p>18 Q. And you had sexual contact with her at your</p> <p>19 place?</p> <p>20 A. Yes.</p> <p>21 Q. How many times?</p> <p>22 A. I believe on two separate occasions.</p> <p>23 Q. Just two.</p> <p>24 A. I believe so, yes.</p>	<p>1 divorced from Stephanie and having her call you or try</p> <p>2 to get you ruled to be an unfit father, and you raised</p> <p>3 a question of whether you should bring up her past and</p> <p>4 play dirty, and you say "it's a deep past."</p> <p>5 Does your wife have any type of sexual abuse</p> <p>6 or victimization or sexual misconduct in her history?...</p> <p>7 A. Yes, but I don't see why that is relevant to</p> <p>8 the case.</p> <p>9 Q. It may or may not be. What was her situation</p> <p>10 that you were referring to in this letter that you</p> <p>11 wrote to Mr. Hollenbach?</p> <p>12 A. Can I object on the grounds of relevance?</p> <p>13 Q. You can object; you still have to answer the</p> <p>14 question.</p> <p>15 A. She was raped when she was younger.</p> <p>16 Q. And this is the past, the dirty-whatever that</p> <p>17 you were talking about, your wife's past, the fact that</p> <p>18 she was raped when she was younger?</p> <p>19 A. No.</p> <p>20 Q. What were you referring to there?</p> <p>21 A. That she had a messy divorce previously where</p> <p>22 she was mistreated.</p> <p>23 Q. Physically abused by her husband?</p> <p>24 A. Yes.</p>
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<p>1 Q. And on those occasions did you tell her, since</p> <p>2 nobody was there -- the family was not there,</p> <p>3 whatever -- did you tell her that they were not there</p> <p>4 because you were separated from your wife?</p> <p>5 A. I told her that my wife was at her parents'</p> <p>6 house.</p> <p>7 Q. Did you try to give her the impression that</p> <p>8 you were separated?</p> <p>9 A. I don't remember exactly what I told her.</p> <p>10 Q. At some point before your wife and kids came</p> <p>11 back from Colorado, did you take the family pictures</p> <p>12 off of the dressers, walls, cabinets, wherever you had</p> <p>13 them, and put them away somewhere?</p> <p>14 A. Yes.</p> <p>15 Q. Why did you do that?</p> <p>16 A. Well, as soon as my family left and whatnot, I</p> <p>17 was cleaning the home and whatnot, and I put some of</p> <p>18 them back and some of them I did not.</p> <p>19 Q. Why did you not put back some of them?</p> <p>20 A. Because I didn't know exactly where they went.</p> <p>21 But there were pictures of our family up in the house</p> <p>22 at that time.</p> <p>23 Q. In your letters to Mr. Hollenbach dated</p> <p>24 11/12/14, Romig Exhibit 15n, you talk about getting</p>	<p>1 Q. When you made these comments in your letter,</p> <p>2 were you trying to indicate to Mr. Hollenbach that you</p> <p>3 could bring up these types of things from your wife's</p> <p>4 past to show that she was an unfit mother for some</p> <p>5 reason?</p> <p>6 A. My attorney at the time in the divorce</p> <p>7 proceeding was suggesting that could be a possible way</p> <p>8 to go, and I told her --</p> <p>9 MR. SANTARONE: Wait. You tell him the</p> <p>10 law about everything else; you should tell him the</p> <p>11 law about this.</p> <p>12 MR. GROTH: You shouldn't reveal what</p> <p>13 discussions you had with your attorney. That's</p> <p>14 attorney-client privilege.</p> <p>15 THE WITNESS: Okay.</p> <p>16 BY MR. GROTH:</p> <p>17 Q. But this was a way for you to -- did you</p> <p>18 consider this a way -- bringing up this type of</p> <p>19 information or dirt, as you call it, is this the type</p> <p>20 of thing that you thought you might be able to use to</p> <p>21 counter your wife's claim that you were an unfit</p> <p>22 father?</p> <p>23 A. Absolutely not.</p> <p>24 Q. You also talked about the court system and the</p>

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<p>1 law here in this letter. You say "The law and courts</p> <p>2 are twisted on how they operate. If you did not</p> <p>3 confess, you'd be home by to you. Telling the 'truth'</p> <p>4 bums you and the laws are twisted."</p> <p>5 What did you mean by that? Referring to the</p> <p>6 Elizabeth Nace situation, correct?</p> <p>7 A. I was called a stupid criminal for confessing,</p> <p>8 because confessing leaves you open to open pleas and</p> <p>9 open pleas end up resulting in higher sentences than if</p> <p>10 you would have kept your mouth shut; with two county</p> <p>11 charges and essentially probation charges, that you</p> <p>12 would have got far less time when I thought I was doing</p> <p>13 the right thing by confessing.</p> <p>14 Q. Well, you actually pleaded guilty to what, six</p> <p>15 felony counts?</p> <p>16 A. Yes.</p> <p>17 Q. So, everything they charged you with you</p> <p>18 pleaded guilty to, correct?</p> <p>19 A. Yes, that is what was advised.</p> <p>20 Q. And sentencing on some of the charges was</p> <p>21 suspended and you were sentenced for, I think, three of</p> <p>22 the different counts in the criminal complaint,</p> <p>23 correct?</p> <p>24 A. Yes.</p>	<p>1 gotten a lot lighter sentence under different</p> <p>2 circumstances if you didn't confess.</p> <p>3 A. Absolutely. I was told that many, many times.</p> <p>4 Q. Do you recall being informed at the sentencing</p> <p>5 hearing by the judge that the court-ordered</p> <p>6 psychologist or psychiatrist found actions to be</p> <p>7 predatory?</p> <p>8 A. That was her opinion, but it was untrue</p> <p>9 because there was stuff in her report that was not</p> <p>10 true. She did not put in her report what I said,</p> <p>11 completely subjective.</p> <p>12 Q. Did you know the principal at Pennridge, Tom</p> <p>13 Creeden, before you went to work as a coach there?</p> <p>14 A. No.</p> <p>15 Q. This is so long ago I forget if we went over</p> <p>16 this, but did you actually sign written contracts with</p> <p>17 Pennridge?</p> <p>18 A. The first year I did; the second year, I gave</p> <p>19 Paul Koehler permission to sign it.</p> <p>20 Q. Did Mr. Babb do any formal interview of you</p> <p>21 before hiring you to coach at Pennridge?</p> <p>22 A. No, because he knew me from my time at</p> <p>23 Quakertown.</p> <p>24 Q. So, he obviously didn't have to ask any</p>
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<p>1 Q. But you did plead guilty to everything they</p> <p>2 charged you with.</p> <p>3 A. That's what I was advised, yes. It's very</p> <p>4 rare in today's sentencing that charges are run</p> <p>5 consecutive. Mine were run consecutive with no</p> <p>6 criminal history.</p> <p>7 Q. At the sentencing hearing, do you believe that</p> <p>8 was, in part, because the court-ordered psychiatrist or</p> <p>9 psychologist that analyzed your situation found you to</p> <p>10 be predatory?</p> <p>11 A. The probation officer.</p> <p>12 Q. Yes. The sentencing report, when you were</p> <p>13 having a psychological examination, there was a</p> <p>14 conclusion by the psychiatrist that --</p> <p>15 MR. SANTARONE: Objection. Are you</p> <p>16 testifying about this? You're asking him --</p> <p>17 MR. GROTH: He can tell me if I'm</p> <p>18 wrong. He knows what the --</p> <p>19 MR. SANTARONE: Are you asking him,</p> <p>20 when he was finally sentenced, what was the reason</p> <p>21 for the sentence?</p> <p>22 MR. GROTH: No.</p> <p>23 BY MR. GROTH:</p> <p>24 Q. I'm asking you -- you said that you would have</p>	<p>1 questions about your time at Quakertown, but did he ask</p> <p>2 you any questions at all about your time at FCA?</p> <p>3 A. No.</p> <p>4 Q. Did anybody else at Pennridge ask you about</p> <p>5 your coaching experience at FCA?</p> <p>6 A. No.</p> <p>7 Q. Did anyone from Pennridge ever ask you whether</p> <p>8 or not there were any problems in your coaching at FCA?</p> <p>9 A. (No response)</p> <p>10 Q. Problems with players, parents.</p> <p>11 A. In interviewing for the softball job?</p> <p>12 Q. Yes.</p> <p>13 A. No.</p> <p>14 Q. And I think you said before you didn't bring</p> <p>15 it up yourself, the situation with Emily Mayer that led</p> <p>16 to your resignation, correct?</p> <p>17 A. Correct.</p> <p>18 Q. You didn't volunteer that information to</p> <p>19 anybody at Pennridge, correct?</p> <p>20 A. No.</p> <p>21 Q. After Elizabeth Nace's parents found the texts</p> <p>22 that you were sending her, the inappropriate texts that</p> <p>23 you were sending her on her cell phone and immediately</p> <p>24 reported it to the police, how did you become aware</p>

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<p>1 that her parents found out about your relationship with</p> <p>2 Elizabeth Nace?</p> <p>3 A. She texted me and told me.</p> <p>4 Q. Elizabeth did?</p> <p>5 A. Yes.</p> <p>6 Q. What did she text you on?</p> <p>7 A. Her original cell phone right before her</p> <p>8 parents took it.</p> <p>9 Q. What was your reaction to that?</p> <p>10 A. Shocked. I mean. . .</p> <p>11 Q. Were you scared?</p> <p>12 A. Absolutely.</p> <p>13 Q. Did she tell you in that text that her parents</p> <p>14 were taking her phone away?</p> <p>15 A. I don't recall if that last text message told</p> <p>16 me that they were taking her phone away, and I don't</p> <p>17 believe it did because I believe I tried to text her</p> <p>18 back, with no response.</p> <p>19 Q. Did she tell you that her parents were going</p> <p>20 to the police to inform them of your relationship with</p> <p>21 her?</p> <p>22 A. I think at some point she told me that. I</p> <p>23 don't know if it was by text or by email.</p> <p>24 Q. You only occasionally emailed her, correct?</p>	<p>1 Q. She told you about how to get the phone.</p> <p>2 A. Yes, how to get the phone to her.</p> <p>3 Q. And it was decided that you were going to hide</p> <p>4 it somewhere out on the property?</p> <p>5 A. She told me a spot to hide it in the back of</p> <p>6 her home, yes.</p> <p>7 Q. And why did you want to provide her with a</p> <p>8 discrete cell phone?</p> <p>9 A. To find out what was going on as far as her</p> <p>10 parents going to the police or taking her phone over or</p> <p>11 whatever the case may be.</p> <p>12 Q. And how many times did you communicate with</p> <p>13 that discrete cell phone?</p> <p>14 A. It would have been on a Sunday and Monday, two</p> <p>15 days in September. Probably approximately maybe a</p> <p>16 couple hundred times.</p> <p>17 Q. And what were you texting about? What was the</p> <p>18 content of the texts generally?</p> <p>19 A. What was going on with the investigation; what</p> <p>20 was going on from her side; what was she doing, you</p> <p>21 know, as far as me asking her to do everything that she</p> <p>22 could not to get, you know -- for this to keep going</p> <p>23 forward.</p> <p>24 Q. I'm sorry, I missed the last part. She was</p>
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<p>1 A. The on time --</p> <p>2 Q. As compared to the texting?</p> <p>3 A. The only time I emailed her would have been</p> <p>4 between the time her phone was taken and the time that</p> <p>5 she had the second phone.</p> <p>6 Q. And when the police came and took her phone</p> <p>7 and computer and everything else they took as part of</p> <p>8 their investigation, you made arrangements with her to</p> <p>9 provide her with a discrete cell phone so you could</p> <p>10 contact her, correct?</p> <p>11 A. Two days after her phone was taken, we had a</p> <p>12 practice which I did not expect her to be at. Her</p> <p>13 mother brought her to the practice, anyways.</p> <p>14 At that time she told me that she wanted to</p> <p>15 remain in contact with me, which I agreed to because I</p> <p>16 wanted to find out what was going on at the time.</p> <p>17 Q. Who wanted to remain in contact with you?</p> <p>18 A. Liz.</p> <p>19 Q. But not the mother. Liz -- Elizabeth Nace.</p> <p>20 A. Yes.</p> <p>21 Q. All right.</p> <p>22 A. So, we discussed about getting her a phone,</p> <p>23 and then she told me how to go about getting her that</p> <p>24 phone.</p>	<p>1 going to do what?</p> <p>2 A. To do everything in her power to let me know</p> <p>3 what was going on as far as what was going on with the</p> <p>4 parents and the police and so on and so forth.</p> <p>5 Q. So, at that point you were both still</p> <p>6 maintaining a relationship with each other, correct?</p> <p>7 A. Yes.</p> <p>8 Q. At some point in this texting, before her</p> <p>9 parents found out about it, you started sending her</p> <p>10 photos of yourself?</p> <p>11 A. Yes.</p> <p>12 Q. Naked photos of yourself?</p> <p>13 A. Yes.</p> <p>14 Q. And you asked her to send you back naked</p> <p>15 photos of herself.</p> <p>16 A. Yes.</p> <p>17 Q. Did she do that?</p> <p>18 A. Yes.</p> <p>19 Q. At some point you also sent her videos of you</p> <p>20 performing some sex acts, correct?</p> <p>21 A. Yes.</p> <p>22 Q. And you asked her to do the same, send videos</p> <p>23 to you?</p> <p>24 A. I remember asking her for pictures. I don't</p>

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<p>1 recall asking her to volunteer videos.</p> <p>2 Q. And how many videos did you send her?</p> <p>3 A. I don't recall.</p> <p>4 Q. More than one?</p> <p>5 A. I don't recall.</p> <p>6 Q. When were these photos and videos sent to her</p> <p>7 by cell phone?</p> <p>8 A. Sometime near the summer of 2013.</p> <p>9 Q. June, July, August?</p> <p>10 A. June, July or August.</p> <p>11 Q. Did you send her video of yourself</p> <p>12 masturbating in a shower naked?</p> <p>13 A. I don't recall if it was in the shower.</p> <p>14 Q. But you do recall sending a video of you</p> <p>15 masturbating.</p> <p>16 A. Yes.</p> <p>17 Q. During any of that time period, in the late</p> <p>18 spring and summer of 2013, was it your understanding</p> <p>19 that you were doing anything wrong at all?</p> <p>20 A. Could you say that one more time?</p> <p>21 Q. Sure. When you started this relationship with</p> <p>22 Liz, both the inappropriate texts and sexually-charged</p> <p>23 texting that was going back and forth and then physical</p> <p>24 activity, was it your understanding that you were ever</p>	<p>1 A. Absolutely.</p> <p>2 Q. In your presence.</p> <p>3 A. In my presence.</p> <p>4 Q. And what other teachers did they talk about?</p> <p>5 A. Some of the baseball coaches. And the names I</p> <p>6 don't remember, and I don't know if they were coaches</p> <p>7 or players or administrators. It wasn't Mr. Babb or Mr.</p> <p>8 Creeden or anybody like that.</p> <p>9 Q. Did they know you were overhearing these</p> <p>10 conversations?</p> <p>11 A. I would assume they would. I was only about</p> <p>12 ten, fifteen feet away.</p> <p>13 Q. And were any of them discussing you?</p> <p>14 A. Not that I know of, but I was told by Liz that</p> <p>15 there were some, yes.</p> <p>16 Q. There were some what, that were interested in</p> <p>17 you.</p> <p>18 A. Yes.</p> <p>19 Q. The girls on your own team.</p> <p>20 A. No.</p> <p>21 Q. Just girls in school.</p> <p>22 A. Girls on the varsity team.</p> <p>23 Q. On the varsity team.</p> <p>24 A. Yes.</p>
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<p>1 doing anything wrong?</p> <p>2 A. Yes.</p> <p>3 Q. When did you know that what you were doing was</p> <p>4 wrong?</p> <p>5 A. Immediately.</p> <p>6 Q. Immediately with the first texts back and</p> <p>7 forth that were inappropriate.</p> <p>8 A. Yes.</p> <p>9 Q. Did you have any understanding that initiating</p> <p>10 or engaging in that type of activity with a girl who</p> <p>11 had just turned sixteen could be very damaging or</p> <p>12 harmful to her?</p> <p>13 A. No.</p> <p>14 Q. Did you think it was not going to be harmful</p> <p>15 or injurious to her in any way?</p> <p>16 A. No.</p> <p>17 Q. What did you think?</p> <p>18 A. Obviously I wasn't thinking. We discussed</p> <p>19 many times in school that her, her teammates, her</p> <p>20 friends constantly on a daily basis -- and I witnessed</p> <p>21 this myself -- each one of her friends discussing which</p> <p>22 teacher, which coach, which administrator they would</p> <p>23 love to sleep with and what they would do to do that.</p> <p>24 Q. And this happened in school.</p>	<p>1 Q. And when you overheard these conversations</p> <p>2 while you were in school at Pennridge, did you do</p> <p>3 anything to stop the conversations or admonish the</p> <p>4 girls about having that type of conversation in public,</p> <p>5 especially in a situation where you could hear them</p> <p>6 talking about it?</p> <p>7 A. No, because, number one, I wasn't the coach of</p> <p>8 the girls that were discussing that with the girls that</p> <p>9 were on my team in that conversation; and number two, I</p> <p>10 looked and figured, I'm not the head coach. Who am I?</p> <p>11 Some of these girls hardly even know me.</p> <p>12 Q. So, if they were saying or doing something</p> <p>13 inappropriate that came to your attention because you</p> <p>14 overheard it going on, you didn't think it was your</p> <p>15 duty or responsibility or obligation to do anything to</p> <p>16 stop it.</p> <p>17 A. To stop what, them talking about it?</p> <p>18 Q. Yes.</p> <p>19 A. No.</p> <p>20 Q. Are those the types of things you also texted</p> <p>21 Elizabeth Nace about when you were texting her about</p> <p>22 personal things, not the softball things: Who is</p> <p>23 interested in who, who wants to have sex with who in</p> <p>24 the school, that type of thing?</p>

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<p>1 A. The only thing I recall is her telling me the 2 story of one other girl that asked her about me. 3 Q. Who was that girl? 4 A. Olivia Campbell. 5 Q. Is she on a team? 6 A. She was on the varsity team. 7 Q. Did you ever coach her? 8 A. With the Sellersville Belles I did, for those 9 two months. 10 Q. How old was she at the time? 11 A. I don't know. 12 Q. Was she older than Elizabeth Nace or younger? 13 A. I believe they may be the same age. 14 Q. Did you ever discuss with Olivia Campbell 15 giving her a letter, telling her that you were going to 16 give her a letter that you didn't want her to open 17 until her sixteenth birthday? 18 A. No. 19 Q. Did you ever hear anything to that effect 20 before? 21 A. Yes. 22 Q. From whom? 23 A. I told her that I had something for her when 24 she graduated from the school, and that something was</p>	<p>1 you about any of your work experience or problems or 2 issues you may have had while you were coaching at FCA 3 after you came to Pennridge? 4 A. When interviewing for the softball position? 5 Q. No. You said you didn't interview for the 6 softball position at Pennridge. Babb just offered you a 7 job -- 8 A. Right. 9 Q. Now I'm saying, after you actually worked as a 10 coach at Pennridge, did Clymer or Babb come to you and 11 ask you -- 12 MS. SOMMER: Creeden. You're talking 13 about Creeden. 14 MR. GROTH: Yes. Let me start again. 15 BY MR. GROTH: 16 Q. After you began working as a coach at 17 Pennridge, did Mr. Creeden and Mr. Babb ever come to 18 you to ask you any questions about your work experience 19 or any issues you may have had while working as a coach 20 at FCA, including the Emily Mayer incident? 21 A. When I interviewed, I believe it was during 22 the summer of 2013. I had interviewed at Pennridge for 23 the basketball job that came open, and they asked me if 24 I left Faith on bad terms, and I said no.</p>
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<p>1 to tell her or to -- it was a prediction that she would 2 be the first Pennridge player to go to Division 1 and 3 receive a full-ride scholarship. 4 Q. Did you ever tell Elizabeth Nace about the 5 Emily Mayer situation that you were involved in at FCA? 6 A. No. 7 Q. Did you ever tell her of any involvement of 8 yours with -- strike that. 9 Did you ever tell her that there were some 10 claims or accusations that you may have had some 11 inappropriate relationship with Kristen Kennedy or 12 Lauren Fretz? 13 A. No, I told her nothing about FCA. 14 Q. Did Russ Hollenbach at any time after you 15 became a coach at Pennridge ever tell you that he had a 16 conversation with David Babb about the issues you had 17 at FCA involving Emily Mayer? 18 A. No. 19 Q. Do you know if Russell Hollenbach knew David 20 Babb? 21 A. I believe they knew of each other just from 22 being athletic directors. 23 Q. Did the principal of Pennridge, Thomas 24 Creeden, or the athletic director, David Babb, ever ask</p>	<p>1 Q. Was that boys basketball or girls? 2 A. Girls. 3 Q. Girls at Pennridge. 4 A. I think so, yes. 5 Q. And that was the summer of 20. . . 6 A. I'm almost certain it was the summer of 2013. 7 It would be near the end of the school year, maybe 8 April or May. 9 Q. And they asked you, when you interviewed for 10 the boys job, whether or not you had any problems or 11 issues with FCA. 12 A. They asked me if I ever coached basketball 13 before, and I told them I coached basketball at FCA. 14 And she asked if I left FCA on bad terms, and I said 15 no. 16 Q. Did they specifically ask you any questions 17 about problems you may have had with a player that you 18 were coaching or parents of a player you were coaching? 19 A. Nothing specific. 20 Q. Did they ask you any questions about whether 21 or not you had a texting issue or problem with any 22 player that you were coaching at FCA? 23 A. No. 24 Q. Did they tell you that they had heard from</p>

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<p>1 some source that there was a problem that you had that</p> <p>2 caused you to leave FCA other than health?</p> <p>3 A. I don't recall.</p> <p>4 Q. When the Bucks County detectives were</p> <p>5 investigating your relationship with Elizabeth Nace,</p> <p>6 did they ask you about the Emily Mayer situation?</p> <p>7 A. No.</p> <p>8 Q. Did you tell them that there was a text issue</p> <p>9 between you and Emily Mayer?</p> <p>10 A. I told them in the original interview on</p> <p>11 October the 1st that they asked if there were any other</p> <p>12 allegations ever made against me, and I told them what</p> <p>13 the results of that were.</p> <p>14 Q. Did you ever discuss with Elizabeth Nace some</p> <p>15 plan that you had for her and you to arrange to have</p> <p>16 sex together at a tournament that was coming up in the</p> <p>17 fall of 2013?</p> <p>18 A. I may have.</p> <p>19 Q. What happened with regard to your position at</p> <p>20 Pennridge after you were arrested on October 1st, 2013?</p> <p>21 A. Once I pleaded guilty in January of 2014 I</p> <p>22 received a letter from Pennridge -- I believe it was at</p> <p>23 a board meeting or whatever the case may be -- stating</p> <p>24 that my position was terminated.</p>	<p>1 A. Yes.</p> <p>2 Q. For how long?</p> <p>3 A. I believe it was once.</p> <p>4 Q. Do you know if she's still in the area?</p> <p>5 A. I do not.</p> <p>6 Q. When was the last time you had any contact</p> <p>7 with her?</p> <p>8 A. It's been at least probably six, seven, eight</p> <p>9 years.</p> <p>10 Q. Do you know if she had a Facebook page?</p> <p>11 A. At one time, yes.</p> <p>12 Q. Did you ever try to contact her or communicate</p> <p>13 with her on her Facebook page?</p> <p>14 A. Not that I recall.</p> <p>15 Q. Did you ever look at her Facebook page?</p> <p>16 A. Not that I recall.</p> <p>17 Q. Did you ever look at Kristen Kennedy's</p> <p>18 Facebook page?</p> <p>19 A. No.</p> <p>20 Q. Have you ever sought professional psychiatric</p> <p>21 or psychological help during your lifetime for thoughts</p> <p>22 or actions towards teenage students or players, that</p> <p>23 type of thing?</p> <p>24 A. No.</p>
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<p>1 Q. What about between October 1st and January?</p> <p>2 A. I didn't hear anything from Pennridge at all.</p> <p>3 Q. While you were at Pennridge did you ever hear</p> <p>4 any facts or information from any source to indicate to</p> <p>5 you that there were any other inappropriate sexual</p> <p>6 relationships or abuse or harassment or inappropriate</p> <p>7 conduct between employees of Pennridge and students at</p> <p>8 Pennridge?</p> <p>9 A. No.</p> <p>10 Q. Did you ever attempt to contact Lauren Fretz</p> <p>11 after she left FCA?</p> <p>12 A. I believe I texted her about helping out in</p> <p>13 the summer of -- I don't recall. It was after she</p> <p>14 graduated from FCA, whatever year that was. I</p> <p>15 contacted her about helping out in the summer with our</p> <p>16 basketball team.</p> <p>17 Q. You wanted her to help out with the basketball</p> <p>18 team.</p> <p>19 A. Yes.</p> <p>20 Q. Doing what?</p> <p>21 A. We didn't have very many players at the time,</p> <p>22 so I needed people to stand in so that we could</p> <p>23 scrimmage and do things like that.</p> <p>24 Q. Did she do it?</p>	<p>1 MR. GROTH: I have no further</p> <p>2 questions. Thank you. Other counsel may have</p> <p>3 questions.</p> <p>4 (EXAMINATION)</p> <p>5 BY MR. KEMETHER:</p> <p>6 Q. Sir, I'm Sean Kemether. I represent Mr.</p> <p>7 Clymer and Mr. Hollenbach. I do have a few questions</p> <p>8 for you.</p> <p>9 If I understand correctly from the questions</p> <p>10 you were asked so far with regard to Elizabeth Nace,</p> <p>11 from June of 2013 until the end of September 2013, you</p> <p>12 sent her sexually explicit texts on repeated occasions?</p> <p>13 A. Yes.</p> <p>14 Q. And you sent her sexually explicit photos on</p> <p>15 repeated occasions?</p> <p>16 A. I don't know how many times, but yes.</p> <p>17 Q. You sent her sexually explicit videos on</p> <p>18 several occasions?</p> <p>19 A. I know I did at least once.</p> <p>20 Q. And you had sexual relation with her on</p> <p>21 several occasions.</p> <p>22 A. Yes.</p> <p>23 Q. Did you do any of those things to any other</p> <p>24 person, any person while you were at Faith Christian</p>

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<p>1 Academy?</p> <p>2 A. No.</p> <p>3 Q. If I understand correctly from your testimony</p> <p>4 earlier, Elizabeth Nace, between June of 2013 and</p> <p>5 September of 2013, sent you sexually explicit texts?</p> <p>6 A. ...Could you repeat that again?</p> <p>7 Q. Sure: Between June of 2013 and September of</p> <p>8 2013, Elizabeth Nace sent you sexually explicit texts</p> <p>9 on repeated occasions?</p> <p>10 A. Very often, yes.</p> <p>11 Q. Emails?</p> <p>12 A. No emails.</p> <p>13 Q. Photographs?</p> <p>14 A. Yes.</p> <p>15 Q. Of herself?</p> <p>16 A. Yes.</p> <p>17 Q. Videos of herself?</p> <p>18 A. I don't recall if there was a video.</p> <p>19 Q. And on multiple occasions she had sexual</p> <p>20 relations with you.</p> <p>21 A. Yes.</p> <p>22 Q. Did you ever force her to have sexual</p> <p>23 relations with you?</p> <p>24 A. Never. As you can tell by my charges, I have</p>	<p>1 Belles.</p> <p>2 Q. End of August and September.</p> <p>3 A. Yes.</p> <p>4 Q. And when was the Sellersville Belles season?</p> <p>5 A. That was when I started with the Belles, was</p> <p>6 the end of August, early September. When the conduct --</p> <p>7 June, July, August.</p> <p>8 I tried to fight the institutional charge</p> <p>9 because my agreement with Pennridge was that my season</p> <p>10 starts March 1st and ends the day of the last game, and</p> <p>11 nothing occurred during that time.</p> <p>12 Q. When was Elizabeth on the Sellersville Belles</p> <p>13 in the summer of 2013?</p> <p>14 A. The end of August and September.</p> <p>15 Q. Okay.</p> <p>16 A. And even after my arrest from. . .</p> <p>17 Q. Okay. We talked earlier -- there were two</p> <p>18 exhibits, and I forget the numbers, of handwritten</p> <p>19 letters you wrote to Mr. Hollenbach from jail.</p> <p>20 A. Yes.</p> <p>21 Q. Have you written any other letters to anyone</p> <p>22 else from jail pertaining to Elizabeth Nace or Emily</p> <p>23 Mayer?</p> <p>24 A. I wrote a letter recently to Faith Christian</p>
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<p>1 no charges that have to do with the sex act itself,</p> <p>2 just relating to the cell phone.</p> <p>3 Q. Prior to her parents finding out about your</p> <p>4 relationship, did Elizabeth Nace ever tell you that she</p> <p>5 was upset with you or didn't want to be in a</p> <p>6 relationship with you?</p> <p>7 A. Absolutely not. As a matter of fact, after</p> <p>8 her parents found out about the text messages and</p> <p>9 whatnot, she told me that -- you know, made it very</p> <p>10 clear that she didn't want this to end.</p> <p>11 And on many different occasions throughout the</p> <p>12 few months that this went on, even when we discussed</p> <p>13 about it being right or wrong or whatever the case may</p> <p>14 be, even when I discussed with her that I was twenty</p> <p>15 years older and it's just not right and this must end,</p> <p>16 she made it very clear that she did not want it to end.</p> <p>17 Q. Most of this activity took place while you</p> <p>18 were the head coach of and she was a player on the</p> <p>19 Sellersville Belles?</p> <p>20 A. For most of this activity I was not -- we were</p> <p>21 not in the Pennridge season nor in the Sellersville</p> <p>22 Belles season. It was at the very tail end -- I</p> <p>23 believe it was the end of August and March is when</p> <p>24 there was contact between her and I on the Sellersville</p>	<p>1 Academy, apologizing for talking behind their back and</p> <p>2 whatnot, but nothing specifically pertaining to the</p> <p>3 case.</p> <p>4 Q. Any letters to anyone else outside of Faith</p> <p>5 Christian Academy about those subjects?</p> <p>6 A. No.</p> <p>7 Q. As we sit here now, do you have any plans to</p> <p>8 be with Elizabeth Nace once you get out of prison?</p> <p>9 A. Absolutely not. I was wrong for what I've</p> <p>10 done, and I have reached out in court and I have</p> <p>11 reached out through the inmate accountability back here</p> <p>12 in the DOC to express my remorse to her parents,</p> <p>13 understanding that forgiveness probably will not be</p> <p>14 given, but I want them to understand that I know what</p> <p>15 I've done and that I'm deeply and truly sorry.</p> <p>16 Q. Has Elizabeth Nace tried to contact you since</p> <p>17 you've been in prison?</p> <p>18 A. No, sir.</p> <p>19 MR. KEMETHER: Those are the questions</p> <p>20 I have for you right now. Thank you very much.</p> <p>21 THE WITNESS: Thank you.</p> <p>22 MR. SANTARONE: I don't have any</p> <p>23 questions.</p> <p>24 MS. SOMMER: I have a few. Do you mind</p>

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<p>1 if we switch places?</p> <p>2 MR. GROTH: Not at all.</p> <p>3 (There was a discussion held off the</p> <p>4 record)</p> <p>5 MS. SOMMER: Back on the record.</p> <p>6 (EXAMINATION)</p> <p>7 BY MS. SOMMER:</p> <p>8 Q. Mr. Romig, as you know, I represent the</p> <p>9 Pennridge School District, Mr. Creeden and Mr. Babb.</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. You mentioned early on that you had not been a</p> <p>12 teacher at any time; you had only been a coach. Is</p> <p>13 that correct?</p> <p>14 A. Yes, at the different institutions.</p> <p>15 Q. How about Sunday school? Were you ever a</p> <p>16 Sunday school teacher?</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. And where was that?</p> <p>19 A. At Faith Baptist Church.</p> <p>20 Q. That's the church that's affiliated what Faith</p> <p>21 Christian?</p> <p>22 A. They were at one time.</p> <p>23 Q. They were at one time. Did you have to get</p> <p>24 any kind of criminal-history clearance to be a Sunday</p>	<p>1 2010?</p> <p>2 A. The meeting and whatnot happened at the very</p> <p>3 beginning of 2010. And soon after that meeting I sent</p> <p>4 that email, I believe, to the current athletic director</p> <p>5 at Quakertown and then actually had a meeting with her.</p> <p>6 That was the first time I ever met her.</p> <p>7 Q. And you had to get the criminal-background</p> <p>8 clearances to work at Quakertown as well, right?</p> <p>9 A. Yes.</p> <p>10 Q. When you applied for the position -- when you</p> <p>11 were contacted by Mr. Babb, that was the summer of</p> <p>12 2011, correct?</p> <p>13 A. That was for the Pennridge position?</p> <p>14 Q. Yes.</p> <p>15 A. Yes.</p> <p>16 Q. And he was calling you to take a position in</p> <p>17 2011 as a junior varsity coach of the girls softball</p> <p>18 team.</p> <p>19 A. Right. This was for the school year</p> <p>20 2011/2012, but I was not contacted until around the new</p> <p>21 year of 2012.</p> <p>22 Q. And that was to start a coaching position in</p> <p>23 March of 2012, correct?</p> <p>24 A. Right, two months later.</p>
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<p>1 school teacher at that time?</p> <p>2 A. I don't believe so, because the Sunday school</p> <p>3 class I taught were married couples my age. I wasn't</p> <p>4 with younger people.</p> <p>5 Q. And when was that?</p> <p>6 A. My goodness. For quite a few years. Probably</p> <p>7 from 2004 to -- off and on until my arrest.</p> <p>8 Q. You talked about, when you were at Quakertown,</p> <p>9 you were the high school girls basketball coach.</p> <p>10 A. At Quakertown?</p> <p>11 Q. At Quakertown.</p> <p>12 A. I was the high school girls softball coach.</p> <p>13 The only place I coached basketball was FCA.</p> <p>14 Q. Was that the girls or boys?</p> <p>15 A. At Quakertown?</p> <p>16 Q. No, at -- basketball, I'm sorry. Basketball.</p> <p>17 A. It was girls.</p> <p>18 Q. Why did you leave Quakertown?</p> <p>19 A. As a result of what happened at FCA and the</p> <p>20 physical issues I was having, there was absolutely no</p> <p>21 way that I could pick up in two months and start to do</p> <p>22 my duties at Quakertown.</p> <p>23 Q. So, you worked for Quakertown in 2008 and</p> <p>24 2009. The incidents with Faith Christian happened in</p>	<p>1 Q. What contact had you had with Mr. Babb when</p> <p>2 Mr. Babb was working at Quakertown School District?</p> <p>3 A. What contact did I have with him?</p> <p>4 Q. Yes.</p> <p>5 A. We communicated through email and he would</p> <p>6 show up at a game or two. He would send an email, you</p> <p>7 know, after we one a game just to say congratulations.</p> <p>8 Q. And the coaches at the Quakertown School</p> <p>9 District received evaluations of their performance,</p> <p>10 correct?</p> <p>11 A. I believe so.</p> <p>12 Q. And if you didn't get a good performance</p> <p>13 evaluation, you would not be asked to return the</p> <p>14 following year.</p> <p>15 A. Absolutely.</p> <p>16 Q. Likewise, at the Pennridge School District</p> <p>17 there were annual evaluations, correct?</p> <p>18 A. Yes.</p> <p>19 Q. And was it Mr. Koehler who did the evaluation</p> <p>20 or was it Mr. Babb?</p> <p>21 A. It was, I believe, Mr. Koehler.</p> <p>22 Q. Do you know whether Mr. Babb had to sign off</p> <p>23 on those evaluations?</p> <p>24 A. I believe they were sent from the athletic</p>

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<p>1 office in Pennridge to Mr. Koehler, who evaluated all</p> <p>2 of his other coaches, which were two assistant coaches</p> <p>3 on his team and then me; and then I believe that the</p> <p>4 parents did the evaluation on Paul Koehler.</p> <p>5 Q. The criminal-history background checks that</p> <p>6 were done, you got them done for Quakertown and you got</p> <p>7 them done for Pennridge, correct?</p> <p>8 A. Yes.</p> <p>9 Q. And there had been no charges filed against</p> <p>10 you for violation of any criminal law or any</p> <p>11 child-abuse statute, either during your time at</p> <p>12 Quakertown, during your time at Faith Christian, after</p> <p>13 you were left Faith Christian or during the time that</p> <p>14 you were at Pennridge, until the Nace matter, right?</p> <p>15 A. Correct.</p> <p>16 Q. When you were discussing with Faith Christian</p> <p>17 your resignation or whether or not you would be able to</p> <p>18 continue to coach, was there any discussion about</p> <p>19 whether Faith Christian would let prospective employees</p> <p>20 for coaching jobs know about the incidents or the</p> <p>21 allegations from Ms. Mayer?</p> <p>22 A. No.</p> <p>23 Q. When was the first time that you met Mr.</p> <p>24 Koehler?</p>	<p>1 school. Did you tell Mr. Koehler about that?</p> <p>2 A. No. We, as the assistant coaches, discussed</p> <p>3 it. I do not know if they discussed it with Paul</p> <p>4 Koehler.</p> <p>5 I mentioned to the two assistant coaches on</p> <p>6 the varsity team that that was discussed, and it was</p> <p>7 met with the reaction that they weren't surprised</p> <p>8 because I believe they're both Pennridge or were both</p> <p>9 Pennridge graduates, and I don't believe that it was</p> <p>10 too long since they graduated at that time.</p> <p>11 Q. Who were those two assistant coaches that you</p> <p>12 mentioned this to?</p> <p>13 A. Lee Ann Kramer and Tyler Penhallow.</p> <p>14 Q. I think you testified that the texts that you</p> <p>15 started sending to Ms. Nace started after the end of</p> <p>16 the Pennridge softball seem?</p> <p>17 A. After the end of the Pennridge junior varsity</p> <p>18 season.</p> <p>19 Q. The junior varsity season.</p> <p>20 A. Yes.</p> <p>21 Q. Is Kevin Smith Emily Mayer's stepfather?</p> <p>22 A. Yes.</p> <p>23 Q. In October of 2013, when you met with the</p> <p>24 detectives and when you were arrested, you weren't</p>
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<p>1 A. I believe it was February or March of 2012.</p> <p>2 Q. And that was right before you started as the</p> <p>3 junior varsity coach?</p> <p>4 A. Yes. When Mr. Koehler and Mr. Babb first</p> <p>5 contacted me about the position, I agreed to come to a</p> <p>6 practice to sit in and watch and whatnot to see if it's</p> <p>7 something that would interest me or not, and that is</p> <p>8 the first time I met him in person.</p> <p>9 Q. Do you have to be a member of the PIAA Coaches</p> <p>10 Association?</p> <p>11 A. I don't know.</p> <p>12 Q. Do you --</p> <p>13 A. I never applied for anything, or there was no</p> <p>14 paperwork saying you had to be a part of PIAA?</p> <p>15 Q. Did you attend any PIAA seminars, training,</p> <p>16 meetings or anything like that?</p> <p>17 A. Just rules-interpretation meetings.</p> <p>18 Q. And when was that?</p> <p>19 A. At my time at Quakertown and FCA, and I did</p> <p>20 not have to at Pennridge because Paul Koehler was the</p> <p>21 varsity coach.</p> <p>22 Q. You mentioned that you heard girls at</p> <p>23 Pennridge talking about having relations or who was</p> <p>24 hot, which coaches or teachers or whatever were hot at</p>	<p>1 currently coaching for Pennridge School District,</p> <p>2 correct?</p> <p>3 A. No, I already was not a Pennridge employee at</p> <p>4 the time. They said -- I believe it was my attorney</p> <p>5 and the detectives went to Pennridge to obtain a copy</p> <p>6 of my contract, because I was fighting that</p> <p>7 institutional charge because I kept telling them I was</p> <p>8 not a Pennridge employee at that time because I was</p> <p>9 released from my contract at the end of the season.</p> <p>10 I don't know what was discussed between the</p> <p>11 attorney and the detectives, but I was told not to</p> <p>12 worry about it because I wouldn't get jail time on it,</p> <p>13 anyways.</p> <p>14 Q. You said that you had an interview with Mr.</p> <p>15 Creeden and Mr. Babb about a basketball position. Was</p> <p>16 it the girls basketball position?</p> <p>17 A. Yes.</p> <p>18 Q. And when was that interview and when was the</p> <p>19 job supposed to begin?</p> <p>20 A. I believe it was April or May of 2013, and it</p> <p>21 was for the . . .</p> <p>22 Q. For the interview.</p> <p>23 A. That was when the interview took place. The</p> <p>24 job itself was opening up -- I think it was an open</p>

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1 position. I think it was listed on the school website
2 or however that is done.

3 Q. And at that time you didn't give them any
4 information about being terminated by Faith Christian?

5 A. No.

6 Q. Are you still in contact with Mr. Hollenbach?

7 A. Those two letters that I sent that Mr. Groth
8 has, I sent those to him, but I have had no contact
9 with him since the second letter that I wrote. I
10 believe it was November.

11 Q. And the job at the Pennridge School District,
12 you get paid a certain salary and that salary covers
13 the period of time for the season only, correct?

14 A. For the season only. Once my season ends,
15 whatever date that is, I am required to get all the
16 equipment back to the school and the school releases
17 the check to me, and that's it. And then it is up to me
18 to decide what I want to do for the following season.

19 Q. Mr. Groth, I believe, asked you -- someone
20 asked you a question about a tournament, arranging to
21 have sex at a tournament in the fall of 2013. What
22 tournament was that?

23 A. I don't recall, but it was not anything
24 related to Pennridge. It had to do with the

1 Christian Academy.

2 A. Yes.

3 Q. And there were never any charges that have
4 ever been brought against you for anything involving
5 Emily Mayer or the Faith Christian Academy?

6 A. No. The detectives and the district attorney
7 told my lawyer that after doing a full investigation,
8 that they were not going to pursue any charges at this
9 time with anything related to Faith Christian Academy.

10 Q. And are you receiving any type of
11 psychological counseling in prison?

12 A. No.

13 Q. And you talked about some program where you
14 try to reach out to Emily Nace's family to apologize.

15 A. Elizabeth Nace's family.

16 Q. I'm sorry.

17 A. It's something set up with the DOC. It's
18 called an inmate accountability bank, which is, I
19 believe, in Harrisburg, where inmates can write letters
20 to their victims or victim's families, which for me I
21 put it for the family because the mom and dad are
22 involved as well.

23 And if they are registered with -- I don't
24 know how it exactly goes, but if they are registered

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1 Sellersville Belles.

2 Q. It's fair to say that the sexual contact that
3 you had with Ms. Nace did not occur on Pennridge School
4 District property?

5 A. Never.

6 Q. And it did not occur during your tenure as a
7 coach with the Pennridge School District from May of
8 2011 or 2012 on.

9 MR. KEMETHER: Objection to form.

10 A. From March to May of 2013?

11 Q. Right.

12 A. No.

13 MS. SOMMER: Nothing further.

14 MR. SANTARONE: I have just a couple of
15 questions.

16 (EXAMINATION)

17 BY MR. SANTARONE:

18 Q. Mr. Romig, as I understand, the first time you
19 were questioned by the Bucks County detectives at the
20 very first meeting, you volunteered your past
21 employment history, correct?

22 A. Yes. That's the only time I was interviewed
23 by the Bucks County detectives.

24 Q. And you told them that you worked at Faith

1 with the inmate accountability bank, they have the
2 option to receive the letter or not.

3 Q. And you readily admitted and pled to the
4 issues involving Elizabeth Nace.

5 A. Absolutely, because I didn't want to have to
6 even -- I didn't want them to even have to worry about
7 going to trial or anyone having to give testimony or
8 anything like that.

9 I did something wrong, and I didn't want to
10 follow it up by causing more heartache and pain to the
11 family.

12 Q. Did you feel that you did anything wrong to
13 Emily Mayer to give her an apology?

14 A. No.

15 MR. SANTARONE: That's all I have.

16 Thank you.

17 MR. GROTH: I just have a couple
18 follow-up questions.

19 (EXAMINATION)

20 BY MR. GROTH:

21 Q. Were you ever given any written evaluations
22 for your coaching time at FCA?

23 A. I don't believe so, no.

24 Q. Weren't they just going to do that? I mean,

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<p>1 wasn't it part of their policy at the FCA to do it? If</p> <p>2 the athletic director didn't do it, nobody else did it?</p> <p>3 A. I don't know if -- if there was, it would have</p> <p>4 been by the athletic director. But did I actually see</p> <p>5 an evaluation? I don't recall ever seeing an</p> <p>6 evaluation, positively or negatively.</p> <p>7 Q. I've marked as Romig Exhibit 16 a Bucks County</p> <p>8 Court of Common Pleas Court Summary for your criminal</p> <p>9 charges relating to Elizabeth Nace.</p> <p>10 We had talked about what happened while you</p> <p>11 were under contract with Pennridge and what didn't</p> <p>12 happened under your contract at Pennridge.</p> <p>13 You just made a statement that the detectives</p> <p>14 or somebody told you that you didn't have to worry</p> <p>15 about the institutional sexual-contact charge?</p> <p>16 A. When I pled guilty in January of 2014 I</p> <p>17 told -- I discussed with my attorney the issue, and he</p> <p>18 went and talked to the district attorney. And</p> <p>19 basically the information he got from the district</p> <p>20 attorney is that he wouldn't be sentenced off, anyways,</p> <p>21 and the worst-case scenario is probation.</p> <p>22 Q. But you did plead guilty to "school</p> <p>23 intercourse/sexual contact with student." That was the</p> <p>24 first count in the complaint, correct?</p>	<p>1 Notice of Deposition 5</p> <p>2 Cover letter dated April 1, 2005 from J.</p> <p>3 Garton to L. Hornstine, with multipage</p> <p>4 attachment 63</p> <p>5 Letter dated April 28, 2015 from C. Connor</p> <p>6 to D. Groth, with attached document 128</p> <p>7</p> <p>8 Cover email dated December 23, 2009 from K.</p> <p>9 Smith to R. Clymer, with attached spreadsheets 135</p> <p>10 Cover email dated December 31, 2009 from A.</p> <p>11 Smith to R. Clymer, with attached document 143</p> <p>12 Cover email dated January 5, 2010 from K.</p> <p>13 Smith to R. Clymer, with attached spreadsheet 156</p> <p>14 Email dated January 5, 2010 from R. Hollenbach</p> <p>15 to R. Clymer and others 160</p> <p>16 Email chain 164</p> <p>17 Email dated January 7, 2010 from E. Romig</p> <p>18 to R. Clymer 166</p> <p>19 21</p> <p>20 Email dated January 16, 2010 from A. Smith</p>
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<p>1 A. Institutional sexual assault?</p> <p>2 Q. Yes, institutional -- let me rephrase: School</p> <p>3 intercourse/sexual contact with student.</p> <p>4 A. Okay. Yes, I did.</p> <p>5 (Exhibit Romig-16 was marked for</p> <p>6 identification)</p> <p>7 BY MR. GROTH:</p> <p>8 Q. I'll show you Romig Exhibit 16. It's the</p> <p>9 first count there. It has "Plea Entered" and it says</p> <p>10 "Guilty Plea," correct?</p> <p>11 A. Yes.</p> <p>12 MR. GROTH: I have no further</p> <p>13 questions. Thank you.</p> <p>14 (The deposition was concluded at 3:10</p> <p>15 p.m.)</p>	<p>1 14 Eight-page handwritten document 180</p> <p>2 (INDEX - CONT'D.)</p> <p>3 NO. DESCRIPTION PAGE</p> <p>4 15 Four-page handwritten document 180</p> <p>5 16 Bucks County Court of Common Pleas Court</p> <p>6 Summary 234</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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1	SIGNATURE PAGE	1	CERTIFICATION
2		2	-----
3		3	I, LANCE A. BRUSLOW, a Registered
4		4	Professional Reporter and Notary Public, hereby certify
5	I hereby acknowledge that I have read the	5	that the foregoing is a true and accurate transcript of
6	transcript, and the same is a true and correct	6	the deposition of said witness who was first duly sworn
7	transcription of the answers given by me to the	7	by me on the date and place herein before set forth.
8	questions propounded, except for the changes, if any,	8	I FURTHER CERTIFY that I am neither
9	noted on the Errata Sheet.	9	attorney nor counsel for, not related to nor employed
10		10	by any of the parties to the action in which this
11		11	deposition was taken; and further certify that I am not
12		12	a relative or employee of any attorney or counsel
13		13	employed in this action, nor am I financially
14		14	interested in this case.
15		15	
16		16	Lance A. Bruslow
17	SIGNATURE: _____	17	Registered Professional Reporter
18		18	Certified Realtime Reporter
19	DATE: _____	19	The foregoing certification does not
20		20	apply to any reproduction of the same by any means
21		21	unless under the direct control and/or supervision of
22		22	the certifying shorthand reporter.
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1	ERRATA SHEET		
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4	PAGE LINE CORRECTION		
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Appendix 0284